



## **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 2021-311		
<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>	Site Plan		
<b>DISCIPLINE</b>	<b>REVIEWER</b>	<b>EMAIL</b>	<b>TELEPHONE</b>
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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. Per FBC 206.2.1, The site design plans are required to show an accessible path from the sidewalk/public transportation to the entrance of the restaurant.

### 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

2. 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 construct a Chipotle Mexican Grill in the Lakewood Plaza with a drive through on a section of an existing parking lot.

#### 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

1. Provide details of the water and sewer easement that runs through the NW tip of the property.
2. Illustrate proposed connection points for water and sewer.
3. 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 show how this plan will be modified to accommodate the new development. An excerpt from the City's drainage GIS database is attached below.
2. Provide details of perimeter berm and control structure that is proposed to retain runoff on the property.
3. Provide pollution control boxes at the point(s) of discharge from the site.
4. Provide a copy of the SFWMD ERP for Lakewood Plaza.
5. Applicant claims a reduction in impervious area by 0.03 acres to support no additional stormwater treatment; providing detailed calculations of impervious areas.



*Excerpt from GIS Drainage Database*

Shows existing 24" CM pipe that collects and discharges stormwater from site.

**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 ANALYSIS**

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.

**K. SIDEWALK**

All work in the ROW will require an Engineering Permit

**DEVELOPMENT SERVICES**

After review of the above referenced DRC application, the Development Services Department has provided the following comments and advisory notes. Comments require a written response from the applicant and correction(s) to the application. Advisory notes are for information purposes only.

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

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.

Based on the above Code section, Development Services staff must compare the application to the adequacy determinations described in Section 31-35 of the Code of the City of Margate.

**Subject Property:**

The subject property is a parking lot for the existing Walmart located at 5555 West Atlantic Boulevard, within Phase I of the Lakewood Mall Shopping Center. The subject property is bounded to the south by Atlantic Boulevard, an existing Boston Market to the west, and drive aisle to the plaza on the east and north. The subject property has a land use designation of Activity Center (AC) and is located within the Transit Oriented Corridor-Corridor (TOC-C) zoning district. The subject property is located within the boundary of the Margate Community Redevelopment Agency (CRA).

The applicant has concurrently filed a subdivision resurvey, pursuant to Section 3.11 of the Margate Zoning Code, in order to create a new out parcel for the purpose of development. The proposed Chipotle is noted as a 2,462 square foot quick serve restaurant with a drive through lane.

**Nature of TOC-C District**

Section 9.11 of the Margate Zoning Code provides that “Parcels designated as Corridor typically front a primary road. Street-fronting uses are encouraged and will be supported by a redesign of the streetscape to create a highly walkable zone. ... A wide range of uses, buildings, and frontage types oriented to public streets is encouraged.” Section 7.2 of the Margate Zoning Code provides a detailed statement of purpose and description of the TOC zoning districts.

Section 7.2. - Purpose and general description.

The Transit Oriented Corridor districts are specifically created to implement and encourage the redevelopment of lands designated as Transit Oriented Corridor on the future land use plan map of the City of Margate Comprehensive Plan. The TOC districts generally include right-of-way and private properties abutting or proximate to the State Road 7/U.S. 441 corridor and comprising approximately one thousand one hundred eighty-four (1,184) acres. This area is designated on the City of Margate Future Land Use Map (FLUM) and the Broward County Land Use Plan Map (BCLUPM) as Transit Oriented Corridor (TOC) .

This article provides general guidance and specific standards necessary to promote the goals, objectives and policies contained within the future land use element and is designed to maximize the development potential of the State Road 7/U.S. 441 corridor, foster a mix [of] land uses, promote shopfronts and commercial uses at street level, accommodate wide pedestrian-friendly and multimodal sidewalks, encourage upper story office uses, and provide on-site parking facilities in the rear yard and accesses when possible through rear alleys or side streets.

The city encourages development and redevelopment projects that contribute to the following objectives:

1. Promoting well-planned development and redevelopment;
2. Encouraging the reduction of impacts on adjacent neighborhoods through building placement and sensitivity of building design and green building standards;
3. Encouraging infill and redevelopment with an emphasis on pedestrian orientation, increased mobility and integration of transit and bicycle systems that provide alternatives to the automobile and promote a sustainable environment;
4. Encouraging a closer relationship between primary building entrances, the public sidewalk, and pedestrians with entrances to building shopfronts, workplace and housing oriented directly to the public street;
5. Providing opportunities for a range of housing types and price levels to accommodate diverse ages and incomes;
6. Planning transportation corridors in coordination with land use and coordinating the intensity of development proximate to mass transit and encouraging a sustainable environment;
7. Encouraging development that is pedestrian-oriented with a variety of uses including mixed-use development;
8. Providing that ordinary activities of daily living may occur within walking distance of most dwellings, allowing independence to those who do not drive;
9. Providing for interconnected networks of tree-lined or shaded roads to be designed and created incrementally to improve pedestrian access to transit and to disperse and reduce the length of automobile trips;
10. Creating an interconnected rear alleyway system;
11. Promoting the small scale of newly formed blocks with public open spaces to serve corridor residents, workers and visitors for increasing social gathering, active and passive recreation, and visual amenities;

12. Promoting appropriate building densities and land uses be provided within walking distance of transit stops;

13. Creating a range of open space including parks, squares, and playgrounds and positioning buildings to front streets and open spaces;

14. Encouraging buildings, streetscapes and landscaping to contribute to creating community living spaces;

15. Promoting a street environment and building orientation that emphasize comfort, safety, and distinctive identity, with the provision of urban greenways along major corridor roadways containing a variety of shopfronts that provide a high level of transparency at the sidewalk level;

16. Maximizing the development potential for the TOC district;

17. Providing form-based guidelines for change to promote a harmonious and orderly evolution of the TOC district redevelopment area; and

18. Encouraging energy efficiency through building design and site development.

## **I. CONFORMITY WITH CODE**

**Advisory Note 2:** The proposed principal use of the subject property is a restaurant, with a drive-through lane. Section 7.3 of the Margate Zoning Code classifies a restaurant as a permitted use, and the drive-through lane as a special exception use. The applicant has submitted a special exception application in conjunction with the site plan application. A separate review of the special exception use application was provided to the applicant.

**COMMENT 1:** The plans illustrate a structure in dark grey satellite image at the north portion of the parcel near the dumpster enclosure. Please identify all symbols with a legend.

**COMMENT 2:** Provide dimensions of bike racks and provide detail of bike racks.

**COMMENT 3:** Appears that the proposed stop sign at the top of the drive thru escape lane and the proposed stop sign to exit the site maybe in conflict of visibility.

**COMMENT 4:** On the construction detail sheet, there are two proposed fence types provided however, only one fence proposed on site. Please clarify.

**COMMENT 5:** On the construction detail sheet, there are two proposed bollards however, no bollards are proposed on site. Please clarify.

**COMMENT 6:** Although a construction plan for temporary fencing and barricade detail was provided, a separate permit will be required to secure an active construction site.

**COMMENT 7:** On the construction detail sheet, proposed ADA ramp with rail however, the plan did not indicate the location of a hand rail. Please clarify.

**COMMENT 8:** The floor plans calls out numbers within an octagon, however no legend was provided.

**COMMENT 9:** Provide a demo plan for the existing sidewalk located along the right-of-way and show how this will be improved. Separate engineering permit will be required.

**Advisory Note 3:** A separate walkway café permit is required. Walkway cafes less than 1,000 square feet in area, permitted as an accessory use to a restaurant is subject to the requirements in Section 22.3 of the Margate Zoning Code.

**COMMENT 10:** Please show the layout of the walkway seating area on the floor plans to include chairs and tables. Provide full details of walkway seating.

**Advisory Note 4:** A separate non-residential color palette approval permit is required.

**Advisory Note 5:** A separate sign permit is required for all signs.

**COMMENT 11:** Per Section 39.6 of the Sign Code, monument signs shall not be permitted within 100 feet of any other monument sign along the same direction of travel of right-of-way. Illustrate on the site plan the distance of the proposed monument sign to the nearest existing monument sign(s). Provide detail sheet of the monument sign.

**COMMENT 12:** Sheet C-301, provides a site data table. The table indicates the front setback is 18 feet for the east elevation. Per Section 9.7 of the Margate Zoning Code, defines the front setback 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.” Per the MPO road map, West Atlantic is classified as an arterial roadway and therefore, the front setback is the south elevation. Provide the total front setback for the south elevation measured from the property line to the building.

### **Parking:**

**COMMENT 13:** Section 33.10 of the Margate Zoning Code, handicap signage shall meet this section of the code.

**COMMENT 14:** Sheet C-301 has parking dimension labeled just slightly shifted off the parking space.

**COMMENT 15:** The Parking Justification Statement includes the site plan, however the site plan is not legible. Per Section 33.2(F), a master parking plan shall be included. Please rename the site plan as Master Parking Plan to include all the required information.



## Landscaping:

**COMMENT 16:** Per Section 33.2(B)(7), location of new light poles shall be identified on the landscape plan and placed a minimum of ten feet from the edge of the tree canopy.

**COMMENT 17:** The landscape plan chart does not identify all landscape material to be Florida native species. Please identify all plant material to be Florida native species. Section 23-5 of the Code of the City of Margate, at least 50% of all required landscaping shall be Florida native species.

**COMMENT 18:** On the landscape chart, provide the category for each tree species.

**COMMENT 19:** The landscape plan provides detail of planting with a note stating “width of planting hole to be 1.5 times the width of the root ball”. Per Section 23-5, at least twice the diameter of the root ball is required. Revise note on the landscape plan.

**COMMENT 20:** Provide a chart on the landscape plan showing how you meet Section 23-6(B)(2) of the Code of the City of Margate.

**COMMENT 21:** The urban greenway shall have no obstructions impeding pedestrian access.

**COMMENT 22:** Planting of trees within the ROW may require a separate permit from FDOT.

**COMMENT 23:** Provide a chart on the landscape plan showing how you meet Section 23-7 of the Code of the City of Margate.

**COMMENT 24:** Provide a chart on the landscape plan showing how you meet Section 23-8 of the Code of the City of Margate.

**COMMENT 25:** Per Section 23-8(A), interior landscaping shall contain at least 100 square feet with a dimension of 7 feet. Provide dimensions for all interior landscape areas. The proposed 3.6-foot-wide interior vehicle use area does not meet code.

**COMMENT 26:** Per Section 23-8(C), the pedestrian zones shall provide a sidewalk no less than 8 feet in width. The site plan illustrates a 7.5-foot-wide interior pedestrian zone.

**COMMENT 27:** The landscape plan does not identify the required landscaping around the dumpster enclosure and the proposed transformer as described in Section 23-9 of the Code of the City of Margate. Provide dumpster enclosure that also includes recyclables.

**Advisory Note 6:** Per Section 23-4 of the Code of the City of Margate, a separate permit is required for irrigation, tree removal and planting of trees in swale.

## Lighting:

**COMMENT 28:** Per Section 33.2 of the Zoning Code, a photometric plan shall be submitted with every DRC application for site plan approval. No photometric plan was provided with this submittal.

## **II. CONSISTENCY WITH COMPREHENSIVE PLAN**

The Broward County Planning Council recertified a new comprehensive plan for the City of Margate in April 2021. This recertification occurred before the submittal of the special exception use application. The current proposal is evaluated for consistency with the new comprehensive plan, element I. The use of a restaurant is classified as a neighborhood, community, and regional retail use and is listed as a permitted use in the City of Margate Comprehensive Plan. Element I.

**COMMENT 29:** At this time, staff cannot make a determination of compatibility until the petitioner provides additional information as requested in the 10 criteria above.

GOAL 2: ENCOURAGE THE HIGHEST STANDARDS OF DEVELOPMENT DESIGN AND LANDSCAPING FOR THE CITY, AS A WHOLE, INCLUDING DISTRICTS WITHIN THE CITY, AND INDIVIDUAL SITE PLANS.

OBJECTIVE 2.1 Future development and redevelopment activities shall be directed to appropriate locations as designated on the Future Land Use Map, consistent with sound planning principles, natural limitations, and the goals, objectives, and policies contained within this plan, consistent with the requirements of S.163.3202 (1), Florida Statutes.

Policy 3.2.2 All proposed development, shall be compatible with adjacent land uses. Compatibility determination shall include consideration of factors such as, but not limited to, operational characteristics and intensity of use (ex: hours of business, indoor vs outdoor activities, traffic generation, etc.), noise, glare, odor and other externalities, and adequacy of buffering.

**COMMENT 30:** The proposed restaurant with a drive through is proposed to be an outparcel with outdoor seating with pedestrian connectivity to West Atlantic Boulevard. This proposed site will be subject to an urban greenway which enhances the major roadway to allow a pedestrian friendly atmosphere to nearby transit stop and residential areas. Staff finds that the site design is almost consistent with goal 7 when appropriate improvements are made to the site.

GOAL 7: DESIGN AREAS ACCORDING TO A PLAN THAT SKILLFULLY ASSIGNS USES TO AREAS TO CREATE A SENSE OF IDENTITY AND APPEAL.

Policy 7.2.3 Additional or expanded stand-alone automobile oriented uses such as: large surface parking lots, gas stations/auto repair/car washes; auto dealers; self/equipment storage; "big box"/warehouse; and drive-through facilities should be designed to encourage pedestrian and transit usage.

Policy 7.2.4 The redevelopment and development within the Activity Center shall ensure that all parcels of land have pedestrian connections leading to transit stops. Such connections shall be required as part of the land development regulations adopted to implement the Activity Center land use category. Street connections and pedestrian connection locations shall, at a minimum, be consistent with the Activity Center Master Plan.

Policy 7.3.5 Consistent with the intent of the Activity Center land use category, land development regulations shall include design features that promotes and enhance pedestrian mobility, including connectivity to transit, and alternative modes of transportation.

**COMMENT 31:** Staff finds that the development proposal could use improvements to internal pedestrian connectivity to the restaurant and other amenities along the urban greenway in order to be consistent with Policy 7.2.6, below.

Policy 7.2.6 New development shall incorporate internal pedestrian and transit amenities to serve residents and employees within the area designated as an Activity Center (such as benches or planter ledges, shade, light fixtures, trash receptacles, information kiosks, bicycle parking) or other amenities that could be incorporated into adjacent publicly accessible areas and plazas (such as clocks, fountains, sculpture, drinking fountains, banners, flags and food refreshment vendor areas.) [BCLUP 2.4.16]