



## **CITY OF MARGATE**

### **DEVELOPMENT REVIEW COMMITTEE (DRC) REVIEW #2**

**November 9, 2021**

<b>PROJECT NAME:</b>	Chipotle Restaurant with Drive Thru		
<b>PROJECT NUMBER:</b>	DRC 2021-431		
<b>LOCATION:</b>	5555 W. Atlantic Blvd		
<b>APPLICANT/AGENT:</b>	Chris Lall, Bohler Engineering FL, 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>
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
Planning	Alexia Howald – Associate Planner	<a href="mailto:ahowald@margatefl.com">ahowald@margatefl.com</a>	(954) 884-3685
Building	Richard Nixon – Building Official	<a href="mailto:rnixon@margatefl.com">rnixon@margatefl.com</a>	(954) 970-3004
Engineering	Curt Keyser – Director	<a href="mailto:ckeyser@margatefl.com">ckeyser@margatefl.com</a>	(954) 884-3631
Engineering	Randy L. Daniel – Assistant Director	<a href="mailto:rdaniel@margatefl.com">rdaniel@margatefl.com</a>	(954) 884-3633
Fire	David Scholl – Fire Department	<a href="mailto:dscholl@margatefl.com">dscholl@margatefl.com</a>	(954) 971-7010
Public Works	Mark Collins – Director	<a href="mailto:mcollins@margatefl.com">mcollins@margatefl.com</a>	(954) 972-8126
Public Works	Gio Batista – Assistant Director	<a href="mailto:gbatista@margatefl.com">gbatista@margatefl.com</a>	(954) 972-8123
CRA	Cale Curtis – Executive Director	<a href="mailto:ccurtis@margatefl.com">ccurtis@margatefl.com</a>	(954) 935-5300
Police	Cpt. Joseph Galaska – Police Department	<a href="mailto:jgalaska@margatefl.com">jgalaska@margatefl.com</a>	(954) 935-5429
Police	Sergeant Paul Frankenhauser – Traffic	<a href="mailto:pfranken@margatefl.com">pfranken@margatefl.com</a>	(954) 972-7111

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

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

**ALL corrections must be provided in ONE submittal package at the time of the submittal appointment with a DSD planner.**

**DRC Comments follow.**

**NOTE: Please email city staff with names, title and companies from your team that will be in attendance at the DRC meeting and indicate if they will be attending in-person or by zoom.**

## DEPARTMENTAL COMMENTS

### BUILDING

1. No comments.

### FIRE

1. No comments.

### PUBLIC WORKS

1. No comments.

### POLICE

1. No comments.

### CRA

1. No response.

### 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 Chapter 31 of the Code of the City of Margate 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. Provide justification for using a pass by rate of 50%.
3. The proposed arrangement requires delivery vehicles to stop east bound and west bound traffic to access the loading bay. This will interrupt the smooth flow of traffic on the northern perimeter roadway, and the petitioner is requested to explore other options for accessing the loading bay so that deliveries can be made without impacting traffic.

#### B. 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.

The Parking Statement illustrates that sufficient onsite parking exists for Wal-Mart and the proposed “Chipotlane” restaurant. The analysis appears acceptable.

**C. POTABLE WATER AND WASTEWATER**

Provide calculations to show potable water demand for the project, and the size of potable water service that will be required.

**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. PARKS AND RECREATION**

Not Applicable

**G. LANDSCAPING**

1. No trees shall be planted in the water and sewer easement.
2. A tree removal permit from the Department of Environmental and Engineering Services is required prior to removing or relocating trees.

**H. ADA**

No comment

**I. DRAINAGE**

At the time of permitting, provide details of perimeter berm and control structure that is proposed to retain runoff from a 25 yr-72 hr event, on the property.

**K. SIDEWALK**

All work in the ROW will require an Engineering Permit

**DEVELOPMENT SERVICES**

After review of the above referenced 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 informative purposes only.

**Advisory Note 1:** This application is for a site plan 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 and special exception in order to create a new out parcel for the proposed drive through facility. The proposed Chipotle is noted as a 2,462 square foot quick serve restaurant with a drive through lane.

## **I. GENERAL**

**Comment 1:** Landscape plan is not consistent with the site plan, specifically in relation to the pedestrian access off of Atlantic Boulevard, a light pole along the eastern property line, a landscape island along the west property line, and the orientation of the bike racks on the eastern side of the building. Please make all plans consistent.

**Comment 2:** Pedestrian Access Plan is color coded, but offers no explanation as to the meaning or significance of the coloring. Please clarify.

**Comment 3:** Site plan indicates that 37 parking spaces are required for Chipotle. Parking Statement prepared by Juan Ortega, P.E. of JFO Group Inc concludes that Chipotle would require 31 parking spaces. Please make all representations consistent.

## **II. 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.

**Advisory Note 3:** The walkway cafe dining area shall be located adjacent to the primary business, with a minimum four-foot clear pedestrian passage provided throughout. This minimum four-foot requirement shall be measured and maintained when chairs and tables are occupied. Walkway café and associated furnishing shall be fully compliant with Section 22.3 of the Margate Zoning Code prior to building permit issuance.

**Comment 4:** The site plan provided the distance between the existing Lakewood Mall monument sign to the proposed Chipotle monument sign; however, the site plan did not provide the distance from the proposed Chipotle sign to the existing Boston Market sign. 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).

**Comment 5:** The urban greenway shall have no obstructions impeding pedestrian access. Comment not addressed, light poles and parking signs remain. Please see Section 9.7(O) of the Margate Zoning Code. See also Comment 9.

**Comment 6:** The Site Plan/Master Parking Plan shall include the following information per Section 33.2(F) of the Margate Zoning Code:

(1) For all other uses or improvements described in Paragraph (F), above, a master parking plan shall be submitted by the property owner to the Development Services Department for review and approval by the Development Review Committee (DRC). The plan shall clearly and accurately designate off-street parking spaces, landscape areas, pedestrian access, bicycle parking facilities, parking for disabled people, **pedestrian drop off and pick-up areas**, dumpster locations, loading zones, all truck turning movements, drainage, lighting, access aisles, driveways, and the relation to the uses or structures these off-street parking facilities are intended to serve as appropriate. If applicable to the subject property or properties, the following parking area features shall be included in the master parking plan: electric vehicle charging stations, fuel pumps, valet parking, vehicle gates, vehicle reservoir areas (queueing), short-term parking such as order online and pick-up at store parking, designated spaces for restaurants with curbside or automobile service where customers consume food in vehicles, reserved parking spaces, hydrants, freestanding signs, and all other accessory structures within the parking area. Such facilities shall be arranged for the convenient access and safety of pedestrians and vehicles.

**Comment 7:** A loading zone is not required for a restaurant of this size; however, if Applicant chooses to provide a loading zone, then the loading zone shall conform to the dimensions described in Section 33.9(C) of the Margate Zoning Code.

**Comment 8:** Per Section 33.2(E) of the Margate Zoning Code, all exterior parking lot lighting fixtures must be fully shielded to prevent nuisance lighting. Provide manufacturer's cut sheet of the proposed light fixtures.

## **LANDSCAPING:**

**Comment 9:** Site is missing required landscape buffer as required per Section 23-6(B)(1) of the Code of the City of Margate.

(B) *Required landscaping abutting rights-of-way.* On the site of a building or vehicular use area directly fronting on a public right-of-way, with the exception of single-family detached dwellings and duplex detached dwellings, there shall be landscaping provided between the site and the right-of-way as follows:

- (1) In non-residential districts and multi-family residential districts, a strip of land at least ten (10) feet in width, adjacent to and parallel with the right-of-way, shall be landscaped. Within said strip there shall be planted at least one (1) shade tree for every forty (40) lineal feet of frontage or portion thereof. In addition, a hedge shall be planted within the landscape strip and parallel with the street. All hedges must be planted a minimum of two (2) feet back from any public sidewalk. The remaining area of this strip shall be covered with ground covers and turf. Ground covers shall cover at least fifty (50) per cent of the landscaping strip not occupied by trees and shrubs.

**Comment 10:** Per Sections 33.2(B)(7) of the Margate Zoning Code and 23-4(B) of the Code of the City of Margate, 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. One light pole on the eastern perimeter of the property is not identified on the landscape plan however, it is shown on the photometric plan. Revise accordingly.

**Comment 11:** The landscape plan provides detail for "Palm Planting" with a note stating "width of planting hole to be 1.5 times the width of the root ball". Per Section 23-5 of the Code of the City of Margate, planting hole shall be at least twice the diameter of the root ball is required. Revise note on the landscape plan.

**Comment 12:** Landscape Requirements Planting Data Table does not address landscape requirements along east property line (Section 23-7 Code of the City of Margate), and only half of the required landscape requirements along the south property line (missing requirements of Section 23-6(B)1 Code of the City of Margate). The interior landscape requirements did not indicate the square foot amount of interior landscape area provided within the vehicular use area relative to the code required minimum of 20 square feet per parking space.

**Advisory Note 4:** Planting of trees within the ROW may require a separate permit from FDOT.

**Comment 13:** Per Section 23-8(A) of the Code of the City of Margate, each such interior landscaping area shall contain at least one hundred (100) square feet in area with a minimum dimension of seven (7) feet. Provide dimensions for all interior landscape areas. The proposed 3.6-foot-wide landscape buffer which separates the drive-through from parking area on the west side of the building is narrower than 7 feet. Comment not addressed. See Section 23-5(B)(1) of the Code of the City of Margate which permits the front of parked vehicles to overhang a protected/curbed landscape area that is at least seven feet wide. See Section 33.2(B)(5) of the Margate Zoning Code, which provides that 22 feet is the minimum width for a parking drive aisle.

**Comment 14:** The landscape plan does not provide/identify the required landscaping around the dumpster enclosure per Section 23-9(A) of the Code of the City of Margate.

- (A) All dumpsters, compactors, and sites containing five (5) or more garbage cans within the city shall be located on a reinforced concrete pad and screened by a durable opaque enclosure that is not less than six (6) feet in height. Said enclosure shall not be made of chain link or any other similar material. Each enclosure shall be equipped with durable gates. **A combination of hedges and ground covers shall be planted on three (3) sides of the enclosure, in a planting bed not less than three (3) feet in width.**

**Comment 15:** Transformer requires landscape screening per Section 23-9(B) of the Code of the City of Margate. Staff recommends locating transformer behind dumpster for improved building aesthetic, better pedestrian mobility, and the possibility of shared screening materials for dumpster and transformer.

- (B) **All mechanical, utility, or any other equipment installed outside and on the ground shall be screened from all public rights-of-way by a hedge** maintained to a height not less than six (6) inches above the height of the installed equipment. The screening hedge shall be planted within ten (10) feet of the equipment that it was planted to screen. The hedge shall not be required if the equipment is screened by a building or other permanent structure.

### **III. CONSISTENCY WITH COMPREHENSIVE PLAN, ELEMENT I**

**Advisory Note 5:** The current proposal was evaluated for consistency with the Margate Comprehensive Plan. The subject property is located within the Activity Center land use category. This land use category permits all uses, in accordance with an Activity Center Master Plan. The proposed use of a restaurant with drive-through is considered a neighborhood, community, and regional retail use which is listed as a permitted use in the City of Margate Comprehensive Plan. Element I.

Policy 1.1.2 The permitted uses, densities and intensities contained in the land development regulations shall not exceed those listed below for each land use category found on the Future Land Use Map. The City's land development regulations with respect to uses, densities and intensities may be more restrictive than those shown in this section.

a) Commercial

1. Neighborhood, community, and regional retail uses.
2. Office and business uses.
3. Commercial uses, including wholesale, storage, light fabricating and warehousing.
4. Hotels, motels, and other tourist accommodations.
5. Parks, recreation, and commercial recreation uses.
6. Community facilities.
7. Medical facilities, specifically doctors' offices, clinics, surgery centers, and hospitals.
8. Municipal buildings, parks, and playgrounds.

b) Activity Center

1. All uses listed in a-j above, in accordance with the Activity Center Master Plan.
2. Existing and proposed residential development shall be designed to be integrated into the existing neighborhoods created through the implementation of the Activity Center. Compatibility and appropriate transitional design elements will be reviewed at time of site plan review, consistent with the land development regulations adopted to implement the Activity Center land use category.

**Advisory Note 6:** The subject property is an outparcel within the Lakewood Mall Shopping Center, which is generally located at the northeast corner of State Road 7 and Atlantic Boulevard. These two roads are classified as arterial roadways by the Broward County Metropolitan Organization's Broward Highway Functional Classifications Map. This shopping center currently has four existing drive-through restaurants, and three drive through banks. There are no abutting residential properties to be impacted by this development. Staff finds the proposed use to be compatible with adjacent land uses, and therefore consistent with Policy 3.2.2 of Element I - Future Land Use, of the Margate Comprehensive Plan.

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 16:** Applicant's proposed restaurant includes an outdoor seating area. The restaurant was designed to provide pedestrian connectivity to three of the four building frontages, including a clear pedestrian route to Atlantic Boulevard. This proposed site was designed to provide an urban greenway which enhances the major roadway to allow a pedestrian friendly atmosphere to nearby transit stops for both Broward County Transit routes 42 and 19, and the Margate Community Bus Service routes A and D. Applicant's site plan also depicts bicycle parking in close proximity to the eastern entrance to the restaurant. Staff finds that the site design is nearly consistent with Policies 7.2.3, 7.2.4, 7.3.5, and 7.3.6 of Element I - Future Land Use, of the Margate Comprehensive Plan. Addition of a crosswalk or other safe pedestrian route to the parking spaces along the west property line would make this design consistent with the cited policies.

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.

Policy 7.2.6 New development shall incorporate internal pedestrian and transit amenities to serve residents and employees within the area designated as a 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]