



CITY OF MARGATE

DEVELOPMENT REVIEW COMMITTEE (DRC) REVIEW #2

November 9, 2021

PROJECT NAME:	Chipotle Restaurant with Drive Thru		
PROJECT NUMBER:	DRC-2021-462		
LOCATION:	5555 W. Atlantic Blvd		
APPLICANT/AGENT:	Chris Lall, Bohler Engineering FL, LLC agent for Jeff Zito, Southeast Investments, Inc.		
REVIEW/APPLICATION	Special Exception		
DISCIPLINE	REVIEWER	EMAIL	TELEPHONE
DRC Chairman	Elizabeth Taschereau – Director	etaschereau@margatefl.com	(954) 884-3686
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Engineering	Curt Keyser – Director	ckeyser@margatefl.com	(954) 884-3631
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Police	Cpt. Joseph Galaska – Police Department	jgalaska@margatefl.com	(954) 935-5429
Police	Sergeant Paul Frankenhauser – Traffic	pfranken@margatefl.com	(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 Mall Plaza with an unconventional drive through “Chipotlane” on a section of an existing parking lot. The “Chipotlane” concept is new and does not allow on site ordering or payments, but rather for pick up only of meals that were ordered through a mobile app.

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

Although fixture schedule and individual demand was providing the total water consumption 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

No trees shall be planted in the water and sewer easement.

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 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 currently utilized as 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 a drive aisle entrance 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, which in part reads, “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.”

Special Exception Standards:

Section 31-54 of the Code of the City of Margate, provides the application requirements, process, and general standards of review for special exception uses. The purpose of this section is to ensure that any proposed special exception use is compatible with the surrounding neighborhoods and appropriate at a particular location. Certain findings must be made in order for the Development Review Committee (DRC) to recommend approval to the City Commission for final approval.

I. GENERAL

Comment 1: Traffic statement provided by Applicant utilizes an older version of the proposed Chipotle site plan. Please update exhibit for consistency.

Comment 2: Traffic statement provided by Applicant indicates that 50% of the trips generated by Chipotle will be pass-by. Please cite the source for this assumption.

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 special exception application is subject to the process and criteria provided in Section 31-54 of the Code of the City of Margate.

III. CONSISTENCY WITH COMPREHENSIVE PLAN, ELEMENT I

Comment 3: In response to Section 31-54(c)(1), applicant cites an earlier version of the Margate Comprehensive Plan in the Justification Statement. Please reference current Comprehensive Plan (Element I – Land Use, Volume I, Margate 2.0) on the city website at <https://www.margatefl.com/201/Planning>.

Advisory Note 3: 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 4: 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 4: Traffic statement provided by Applicant indicates that internal trip capture was not utilized for the traffic analysis. This methodology is not consistent with Policy 7.4.1 of Element I - Future Land Use, of the Margate Comprehensive Plan.

Policy 7.4.1 Recognizing the goal of the Activity Center land use category is to promote transit usage and other methods of reducing single-occupancy vehicles upon overcapacity roadways, any required transportation impact analysis shall consider the modal shift provided through the provision of transit. In addition, the transportation impact analysis shall consider the effects of internal capture.

Comment 5: 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]