



**DEVELOPMENT REVIEW COMMITTEE
COMMENT REPORT**

Review #2

Meeting Date: January 11, 2022

Project Name: Pollo Campero

Applicant: Maxwell Kaplan, Representative / Trikon
Plantation LLC, Owner

Case Number: PP21-0040

Request #1: Use Variance approval to allow a 2,654 square
foot fast food restaurant (Pollo Campero) with
drive-through.

Request #2: Site plan, elevation, and landscape plan
approval to construct a 2,654 square foot fast
food establishment.

Location: 8220 W. Broward Boulevard

Zoning: M-PM (Plantation Midtown)

Land Use: Commercial

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STAFF COMMENTS

PLANNING & ZONING

In General

1. Note: This request must undergo a local concurrency review for water, sewer, streets, drainage, and solid waste. The standard single-page form is available in the Planning and Zoning Department. The applicant must present the form to the appropriate City departments for sign off prior to Planning and Zoning Board approval. The applicant acknowledges.
2. Note: The applicant is responsible for City impact fees, payable at the time of permitting. The applicant acknowledges.
3. There is a façade restoration agreement in place that requires the west elevation of the Aldi structure to be architecturally enhanced by a date certain should development of the west side parcel not occur.
 - a. The property owner shall add the architectural elements agreed upon in Exhibit C of the restoration agreement on the west side of the Aldi building.
4. Variance or waiver requests shall be subject to the criteria in 27-52(g), whether a undue hardship variance or a practical difficulty waiver. A written request for all waivers and the applicable fee must be included with the submittal for Planning and Zoning Board review. The waiver request must include the waivers identified within this report with the submittal for Planning and Zoning Board consideration along with the applicable fee (\$500 per waiver). **The criteria is attached.**
5. Unified control is required for this property (Section 27-299(e)). A unified control document is currently in place. Revisions will be required based on the new development proposal. There is a draft of a declaration of unity of control from the original site plan.
6. Note: Previously, the existing building (with the planned bank) was considered a “single story multi-occupant establishment” which allowed a front wall sign one square foot for each lineal foot of the establishments’ occupant frontage not to exceed one hundred (100) square feet; and a side/rear sign facing a parking area or street not to exceed 50% of the allowable front sign. With the site plan modification creating a separate building, the site is now considered a “center establishment” which allows a front wall sign one square foot for each lineal foot of the establishments occupant frontage not to exceed sixty (60) square feet; and a side/rear sign facing a parking area or street not to exceed 50% of the allowable front sign. With this change, the existing Aldi wall signs (81 square feet on the front and 50 square feet on the side) will exceed the code requirement for center establishment and will become legal nonconforming signs. The existing ground sign is code compliant. The applicant acknowledges.
7. Section 27-299(a) Advertising requirement: If a location is included in any printed, radio or television advertisement of an approved real estate development in the city, the City of Plantation shall be noted in the text or map of said printed advertisement or be included in the description of the location in said radio or television advertisement. The applicant acknowledges.

DRC COMMENT REPORT – Review #2

Case Number: PP21-0040

8. As per Section 27-41(l) *Community Meetings*. All applications for site-specific rezoning, site plans for new construction, and site-specific land use plan amendments shall be first scheduled for discussion at a community meeting subsequent to final review by the Development Review Committee and prior to submittal of the application for the Planning and Zoning Board consideration. The meeting shall be held for the applicant to present the plans to City residents and property owners, adjacent communities, and, if applicable, homeowner's associations to obtain community input regarding the application. The meeting shall be noticed by the applicant ten (10) days prior to the meeting. Notice shall be sent to all affected persons according to the radius listed in Table 41-2. The community meeting shall be held at a time and place determined by the Planning Zoning and Economic Development Department. A lack of participation at this meeting by the public shall not prejudice the application in any manner. The applicant agrees.
9. Note: When responding to staff comments, any plan changes shall be "bubbled" plan changes and specify the page number corrected in the written responses. This will help shorten staff review of revised plans.
10. Note: Provide the entire submittal in PDF format, on a CD, flash drive, or other means of electronic transfer with each submittal. Submittal shall be separated into folders (e.g. site plan, landscape, civil, etc.).
11. Note: A plat note amendment will be required prior to issuance of a building permit. Staff can administratively approve a delegation request in compliance with an approved site plan. A delegation request has been applied for, PP21-0053.
12. Additional comments may be generated based on the resubmittal.

Fast Food Restaurant with Drive Thru Use:

13. The code requires a market study be provided in the review of the use variance application to justify a "present need exists for the use". Provide a detailed market study which must include an analysis on the financial impacts to nearby fast-food restaurants (Section 27-53(b)(2)b.). The response letter states that the market study will be provided by the developer. The market study must be submitted with the next submittal.
14. Note: The applicant has submitted criteria for the use variance for the free standing fast food restaurant and criteria for the conditional use for the drive thru.

Site Data Table

15. The site does not provide enough parking. The required parking is 126 spaces with 98 spaces provided. A 28-space parking waiver is required (22% reduction). The applicant is requesting a waiver.

Floor Plan

16. NEW COMMENT: The trash room is no longer labeled. Please add labels. Per Section 10-4, restaurants require a dedicated air conditioned trash room with a drain, hose bib, and large enough to fit a 20 gallon container.

Elevations

17. Provide a material sample board when submitting for the Planning and Zoning Board.
18. Provide design and material calculations verifying compliance with Section 27-300(a)(4) Architectural Design Guidelines. The specific calculation that needs to be added to the elevations is in Section 27-300(a)(4)b. The front (north) elevation facing

DRC COMMENT REPORT – Review #2

Case Number: PP21-0040

a public right-of-way shall be composed of at least 75% Class 1 or 2 materials, with at least 10% of Class 1 on the façade.

19. Section 27-300(a)4.f., the building colors should be subdued, muted, natural or earth toned colors. The applicant has provided color elevations, but has not submitted a material board with actual samples. The proposed colors appear to meet these requirements; however, it cannot be determined until actual samples have been provided.
20. Note on elevations that mirrored and reflective glass is not permitted (27-86(a)(10)b.3.(iii)). The response letter states that a note has been added. Please indicate where. A note has not been added to the elevation sheets or the site plan.
21. Label the elevations north, south, east, west on the black and white elevations. The color elevations have the label.
22. PP-1 has been removed from the legend, but the label is still on the black and white elevations pointing to where the colorful strips were located. There is not a label for the upper level. The response to staff comments states that the material is the same faux wood panel used on the adjacent Aldi's. Add the label to the elevations and the legend.
23. The legend on the elevation has a product listed ST-1 stainless steel cladding under the metal paneling label. The label is still on the color elevations, yet not attached to the building. Remove the label.
24. Ghost the rooftop equipment on the elevations. As per Section 27-291(c), the mechanical equipment shall be screened with materials consistent with those used in the construction of the building, and shall be architecturally compatible with the building. The screen shall be as high or higher than the equipment. (27-296(y) and 27-291(c)(1)d.). The response letter states that the rooftop equipment has been added to the elevations. However, the rooftop equipment has not been added to the elevations to ensure compliance with these requirements.
25. Additional comments may apply when a material board with actual samples is provided. The applicant acknowledges.

Details

26. Note: Outdoor storage of any kind (trash, pallets, etc.) is not permitted. The applicant acknowledges and a note has been added to the plans.
27. Note: storage of vehicles, equipment, materials and supplies shall be within a building or within an area enclosed by a wall, fence, or hedge or other device which will effectively screen such storage from public view. Garbage or refuse shall be stored only within a building, or within a fully enclosed container or refuse shall be stored only within a building, or within a fully enclosed container including top, and storage shall be equipped with an approved automatic sprinkler device. The applicant acknowledges and a note has been added to the plans.

Signage:

28. Note: Signage is not part of this review, and is subject to Article IX of Chapter 27.
29. Note: Neon striping outlining the building and building up-lighting designed to flood the building elevations in light are not permitted by the sign code. State this clearly on the elevations, photometric and site plan. The applicant acknowledges and a note has been added to the photometric plan.

DRC COMMENT REPORT – Review #2

Case Number: PP21-0040

Note:

- A. Please Resolve Comments 1, 4, 8, 13, 16 - 24 Prior to P & Z Board Application
- B. Please Resolve Comments _____ Prior to City Council Submittal
- C. Please Resolve Comments 2, 3, 5, 11, Prior to Permit

LANDSCAPE:

In General:

1. The applicant may be required to execute a Developer Agreement and post security for all engineering and landscaping related improvements at time of permitting.
2. This review is preliminary. Full landscape plan & approval is required at time of permitting.
3. All site plan and planting plan comments from the Department of Public Works - Environmental Landscape Division must be responded to in writing and corrections bubbled on plans with Correction clouds and labeled with numbered Revision Triangle by review.

Site Plan

1. Utilities – Pursuant Sec. 27-252(d)(1) Please show All Utility easements in Gray Scale on the Planting Plan as well as above and below ground utilities and associated equipment (Fire hydrants, over-head power lines, FPL pads, water and sewer service lines, etcetera).
2. Please Indicate the Appraisal Value is pursuant ISA Standards in the Tree Disposition Chart.
3. Tree Protection – Clearly identify Tree Protection during construction activity on Landscape Plan for the trees to remain or proposed for relocation.
4. Landscape Details – Provide a Root Barrier Detail for continuity with the Root Barrier proposed within the Landscape plan pursuant Sec. 27-251 Add specifications to the Root Barrier Detail within Landscape Detail sheet.
 - a. 0.8” thick polypropylene panels
 - b. Integrated zipper joining system
 - c. Rounded edges
 - d. 24" depth
 - e. Anti-lift tabs
5. Propose Root Barriers parallel to the Building on Landscape plan adjacent proposed trees/palms pursuant Sec. 27-254(a)(10).
6. LPZ Width – **WAIVER REQUIRED**

Pursuant Sec. 27-255(d)(2) Landscape Pedestrian Zone shall be 50% of the height of the building or 10 feet, whichever is greater.

DRC COMMENT REPORT – Review #2

Case Number: PP21-0040

- a. Sec. 27-255(d)(2) LPZ Width Deficiencies are as followed:
 - i. NORTH LPZ width: 11.45’ required – Only 9’ provided.
 - ii. EAST LPZ width: 11.45’ required – Only 2’ provided.
 - iii. WEST LPZ width: 11.45’ required – Only 5’ provided.
 - iv. SOUTH LPZ width: 11.45’ required - Only 7’ provided
- b. Pursuant Sec. 27-255(d)(3) Sidewalks cannot be counted towards meeting required LPZ.

Planting Plan

1. Tree Trimming and(or) Removal/Relocation Permits – Pursuant Sec. 27-261 & 27-262.
 - a. Landscape permits applied directly to Public Works – Environmental Landscape Division. Contact: Landscapeinfo@plantation.org
 - b. Attach a copy of the Tree Disposition and Landscape Plan with the Permit Application for continuity.
2. Irrigation Schedule - Provide a 12 Month Irrigation Schedule that specifies the method and frequency of application, and amount of water used for each application.
3. Fertilizer - Staff suggest revising the Fertilizer reference on sheet# L-2.2 as our local South Florida soils are high in Phosphorus.
 - a. Please conduct a site soil analysis to determine the appropriate fertilizer regiment as our soils in the City of Plantation lack certain elements for establishment.
 - b. Also include a 12-month Fertilizer schedule for survivability of plantings.
4. Implementation Standards - Pursuant: Sec. 27-254(a)(6) All plants installed shall conform to, or exceed, the minimum standards for Florida Number 1 as provided in the most current edition of “Grades and Standards for Nursery Plants,” prepared by the State of Florida Department of Agriculture and Consumer Services.
 - a. Indicate trees/palms as Florida #1 on Plant Schedule.
5. LPZ Tree Quantity – **WAIVER REQUIRED**

Pursuant Sec. 27-255(d)(5) One shade tree (or group of three palms), 15 shrubs, and 40 groundcover plants are required for every 30 lineal feet of the Landscape Pedestrian Zone.

 - a. LPZ Tree Count Deficiencies are as followed:
 - i. East LPZ: 2 Trees required – 0 proposed.

DRC COMMENT REPORT – Review #2

Case Number: PP21-0040

6. LPZ Tree Dimensions – **WAIVER REQUIRED**

a. Pursuant Sec. 27-255(d)(6) Installed minimum amounts and sizes of trees and shrubs shall relate to the building height as per Table 255-3.

i. East LPZ: 50% Palms above Roofline and(or) Tree height 12’ – 0 proposed.

7. Sod – Please provide square footage of Sod on Plant Schedule by specifying “522” numerical value under the Sod QTY column.

Note:

A. Please Resolve Comments #1-6 (Site Plan); #1-7 (Planting Plan) Prior to Final DRC Sign Off

B. Please Resolve Comments _____ Prior to P & Z Board Application

C. Please Resolve Comments _____ Prior to Permit

ENGINEERING: No objection to the Use Variance, Site Plan, Elevation and Landscape Plan.

1. The applicant provided stormwater management report for the overall site. Report indicated that the overall impervious area of the site is 75% which exceed the 65% requirements of chapter 9 of City of Plantation code of ordinances. Applicant is utilizing 10% of the parking areas as permeable pavers to meet the requirements. An annual maintenance plan needs to be in place to ensure proper functionality of the permeable pavers
2. Applicant provided a traffic impact analysis indicating the impact of this development on the adjacent roadways.
3. Prior to issuance of any permit, please provide a maintenance of traffic plan identifying the impact of this site (during construction) on ALDI.
4. Table on sheet C05 identified that the property will be assessed 20.38 ERUs. Is this for the overall site, if yes, a revision to the unified control document need to clearly identify the contribution of each parcel for proper stormwater fee assessment calculations.
5. The applicant is required to execute a Developer Agreement and post security for all engineering and landscaping related improvements at time of permitting.

Note:

A. Please Resolve Comments 1-5 Prior to Permitting

BUILDING: No objections.

Note:

A. Please Resolve Comments _____ Prior to Final DRC Sign Off

B. Please Resolve Comments _____ Prior to P & Z Board Application

C. Please Resolve Comments _____ Prior to Permit

DRC COMMENT REPORT – Review #2
Case Number: PP21-0040

FIRE:

Reviews:

- Comments 1 – 15 on the Staff Report to the Development Review Committee meeting of October 12, 2021.
- Applicant response on December 14, 2021 submittal.
- Fire Dept reply on the Staff Report to the Development Review Committee meeting of January 11, 2022.

No objections as to this site, elevation and landscape plans with the understanding that the applicant and/or owner are aware of following City of Plantation Fire Department comments and will comply with each comment by affirming in written reply and/or plan submittal.

1. All aspects of fire and life safety shall comply with the current Florida Fire Prevention Code edition.
*Applicant response – Acknowledged.
*Fire Dept reply – Complied.
2. Any one-way emergency vehicle access roadway shall have a minimum 16’ width.
*Applicant response – The drive aisle along the west has been updated to be a minimum of 16’.
*Fire Dept reply – Complied.
3. Any straight curbing in excess of 4’ shall be designated "NO PARKING - FIRE LANE", compliant FFPC NFPA-1 and current City of Plantation Engineering Department Fire Lane Signing and Marking Standard.
*Applicant response – Notes and labels are provided on the PMS plan sheet C-12 and details provided on sheet C-06.
*Fire Dept reply – Complied.
4. Structure/building shall be entirely protected by an approved, supervised automatic fire sprinkler system hydraulically calculated to City of Plantation drought standard of 50-PSI static, 45-PSI residual, at 1100-GPM flow, with a minimum 10% safety margin.
*Applicant response – A fire line is provided and shown on sheet C-10.
*Fire Dept reply – Complied.
5. Fire sprinkler system underground supply line shall have its own dedicated tap directly from water main; as such, the point of service shall be the valve at the water main tap.
*Applicant response – A fire line is provided and shown on sheet C-10.
*Fire Dept reply – Complied.
6. The same Florida Fire Protection Contractor I, II or V shall be responsible for the installation of the fire sprinkler system underground supply line from valve at water main up to the 12” above grade stub outside of building and the Double Detector Check Valve (DDCV) (backflow preventer).
*Applicant response – Noted.
*Fire Dept reply – Complied.
7. Fire department connection (FDC) and its adjacent fire hydrant (FH) shall be relocated away from structure.

DRC COMMENT REPORT – Review #2

Case Number: PP21-0040

*Applicant response – The provided FDC has been relocated south of the existing lift station.

*Fire Dept reply – Complied.

8. FDC and FH shall be located on same side of roadway, within 6’ to 25’ of each other, and within 6’ of curb front.

*Applicant response – Please refer to the utility plan sheet C-10 for the updated location.

*Fire Dept reply – Complied.

9. The following shall be permitted separately:

- a. All fire sprinkler system underground supply line from valve at water main up to the 12” above grade stub outside of building and the FDC (if connected to supply line prior to the 12” above grade stub).
- b. DDCV.
- c. Whole fire sprinkler system installations after the 12” above grade stub outside of building.

*Applicant response – Acknowledged. The items shall be permitted separately.

*Fire Dept reply – Complied.

10. FDC’s shall comply with following:

- a. Free standing.
- b. Single 4” screened Storz coupling on a 30-degree bend.
- c. Intake between 24” to 36” above grade.
- d. No obstructions within 3’ of sides.
- e. Unobstructed 6’ wide area from FDC to curb front.
- f. Posted “NO PARKING - FIRE DEPARTMENT CONNECTION” sign behind it, compliant FFPC NFPA-1 and current City of Plantation Engineering Department Fire Lane Signing and Marking Standard.

*Applicant response – Acknowledged. The FDC meets the requirements. Signage is shown on sheet C-12.

*Fire Dept reply – Complied.

11. FH’s shall comply with following:

- a. No obstructions within 3’.
- b. Unobstructed 6’ wide area from FH to curb front.

*Applicant response – Acknowledged. The relocated fire hydrant complies with these requirements.

*Fire Dept reply – Complied.

12. Fire sprinkler monitoring alarm control panel shall be located in a properly conditioned room that provides an unobstructed 3’ access to the front and to the sides of the cabinet.

*Applicant response – Acknowledged. Location to be provided during permitting.

*Fire Dept reply – Complied.

13. A Knox 3200 series Key Vault shall be provided/installed at location designated by the City of Plantation Fire Department.

*Applicant response – Acknowledged. Location to be provided during permitting.

*Fire Dept reply – Complied.

14. Structure/building shall be able to provide a maintained minimum, as determined

DRC COMMENT REPORT – Review #2

Case Number: PP21-0040

by City of Plantation Fire Department, radio signal strength for fire department communications during in-building operations. A two-way radio communication enhancement system may be necessary to comply with this requirement.

*Applicant response – Acknowledged.

*Fire Dept reply – Complied.

15. The applicant and/or owner are aware that conditions may arise upon review of all required permitting plans.

*Applicant response – Acknowledged.

*Fire Dept reply – Complied.

POLICE: No objection to the Use Variance, Site Plan, Elevation, and Landscape Plan.

Note:

A. Please Resolve Comments _____ Prior to Final DRC Sign Off

B. Please Resolve Comments _____ Prior to P & Z Board Application

C. Please Resolve Comments _____ Prior to Permit

UTILITIES: No objection to the Use Variance, Site Plan, Elevation and Landscape Plan.

Applicant has agreed to all previous comments throughout the DRC process.

1. Prior to a Building Permit or Occupational License being issued, the following must be provided:

•\$500.00 review fee must be submitted to the Utilities Department

•Water and Sewer Utility plans must be submitted to the Utilities dept. for review and approval.

•FDEP Water and Sewer Permits must be approved

•Utilities Agreement must be executed

•Utilities Performance Bond must be posted

•Utility Easements must be executed

•Utility Inspection fees must be paid

•**Capacity Charges must be paid in FULL.**

- **Contact: Johnathan Adams if you have any questions, 954.414.7352**

Note:

A. Please Resolve Comments _____ Prior to Final DRC Sign Off

B. Please Resolve Comments _____ Prior to P & Z Board Application

C. Please Resolve Comments 1 Prior to Permit

DRC COMMENT REPORT – Review #2

Case Number: PP21-0040

O.P.W.C.D.: The proposed project is within the jurisdiction of the Old Plantation Water Control District. The applicant is required to contact the District office at 954-472-5596 or bbutler@opwcd.org to discuss the proposed improvements for a determination on District permit requirements.

WASTE MANAGEMENT: Contact Andrew Kandy or Adrian Moore at akandy3@wm.com or amoore@wm.com , respectively.

STAFF CONTACT INFORMATION

Department/Section	Employee Name	Contact Information
Zoning 954-797-2225	Gayle Easterling	geasterling@plantation.org
	Lisa Zelch	lzelch@plantation.org
Landscape 954-414-7395	Indyli Brown	ibrown@plantation.org
Engineering 954-797-2282	Samira Shalan	sshalan@plantation.org
Building 954-797-2257	Bill Gale	wgale@plantation.org
	Carmen Hurlbut	churlbut@plantation.org
Fire 954-797-2150	Tony Martins	tmartins@psd.plantation.org
Police 954-916-5602	Daryl Radziwon	dradziwon@psd.plantation.org
Utilities 954-797-2290	John Adam	jadam@plantation.org
OPWCD	Brett W. Butler	bbutler@opwcd.org
	Jennifer Hollingsworth	jhollingsworth@opwcd.org
Waste Management	Andrew Kandy	akandy3@wm.com
	Adrian Moore	amoore@wm.com

EXHIBIT A
Section 27-52(g)(2) Practical Difficulty Waiver

Standards of Review. A variance shall be granted only where the preponderance of the evidence presented in the particular case shows that either of the following is met:

27-52(g)(2) Practical difficulty waiver. If the application does not meet the undue hardship variance criteria, the application may be considered under the requirements of practical difficulty waiver. The following are the standards that must be met for consideration of whether a practical difficulty exists:

- a. The request shall not be substantial in relation to what is required by the Code; and
- b. The approval of the practical difficulty will be compatible with development patterns; and
- c. The essential character of the neighborhood would be preserved; and
- d. The request can be approved without causing substantial detriment to adjoining properties; and
- e. The request is due to unique circumstances of the property, the property owner, and/or the applicant which would render conformity with the strict requirements of the Code unnecessarily burdensome.