



**VILLAGE OF ESTERO  
ZONING  
STAFF REPORT**

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**PROJECT NAME:** BURGERIM RESTAURANT  
**CASE TYPE:** CONSUMPTION ON PREMISES  
**CASE NUMBER:** COP2018-E001  
**PLANNING & ZONING BOARD DATE:** FEBRUARY 20, 2018

**REQUEST AND STAFF RECOMMENDATION**

This is a request for "Consumption on Premises" (2COP-beer and wine) for the proposed Burgerim restaurant with outdoor seating in Coconut Point next to the movie theater. Staff recommends approval with conditions.

**APPLICATION SUMMARY**

Applicant: Burgerim  
Request: Request to allow "Consumption on Premises" (2COP) with outdoor seating for the proposed Burgerim restaurant.  
Location: The subject property is located at 23111 Fashion Drive, Suite #111, Coconut Point Mall, Village of Estero, FL.

The applicant indicates the STRAP number is: 09-47-25-E2-360SC.0010

**PROJECT HISTORY**

The property is located within the Coconut Point Development of Regional Impact (DRI). It was rezoned from Agricultural (AG-2) to Mixed Planned Development (MPD) on October 21, 2002.

The specific site (tenant space) is approximately 2,183 square feet and was previously occupied by Johnny Rockets Restaurant.

**PROJECT DESCRIPTION**

The proposed restaurant will be located in the central section of Coconut Point fronting Cinema Way. There are several retail/commercial establishments located in the vicinity of the proposed Burgerim restaurant. Other restaurants with Consumption on Premises located in the vicinity of the proposed Burgerim restaurant include Brass Tap and Amore Brick Oven Pizza. Both of these restaurants are located approximately 50 feet to the southwest of the proposed tenant space.

Johnny Rockets previously operated from the 2,183 square foot tenant space. The new tenant (Burgerim) is a fast casual restaurant serving hamburgers, salads, sandwiches and proposes to serve beer and wine. A food menu is provided (See attachment). The outdoor area is approximately 505 square feet and will be partitioned with landscape planter and 24 seats. The hours of operation are Monday through Sunday from 10:00 am to midnight.

The Burgerim restaurant includes an inside dining area (56 seats) and an outdoor seating capacity of 24 seats. A total maximum capacity of 88 persons including staff are expected at peak hours of operation.

### **STAFF ANALYSIS**

The applicant is requesting a "Consumption on Premises" (2COP) approval with outdoor seating. A 2COP license for beer and wine in conjunction with a standard restaurant is currently listed as a permitted use for Tract 2A in previously approved Resolution Z-02-009.

Consumption on Premises with outdoor seating in conjunction with a Group II, III or IV restaurant is permitted if the outdoor seating area is not within 500 feet of a religious facility, school (non-commercial), day care center (child), park or dwelling unit under separate ownership. The Applicant complies with the distance requirements for outdoor seating.

The applicant has indicated if zoning approval is granted for the 2COP, an application will then be submitted to the State of Florida "Division of Alcoholic Beverages and Tobacco for a 2COP license.

A letter of approval from the Simon Property Group was obtained by the Applicant for the proposed Burgerim Restaurant. The proposed Burgerim Restaurant will not have any apparent impact upon surrounding properties. The subject space is suitable in regard to location, site characteristics and intended purpose. There are two nearby establishments which sell alcoholic beverages for consumption in the vicinity of the proposed Burgerim Restaurant. No outdoor entertainment has been requested. The Applicant meets the intent of Section 34-1264 of the Land Development Code and the administrative requirements for an administrative approval.

### **RECOMMENDATION**

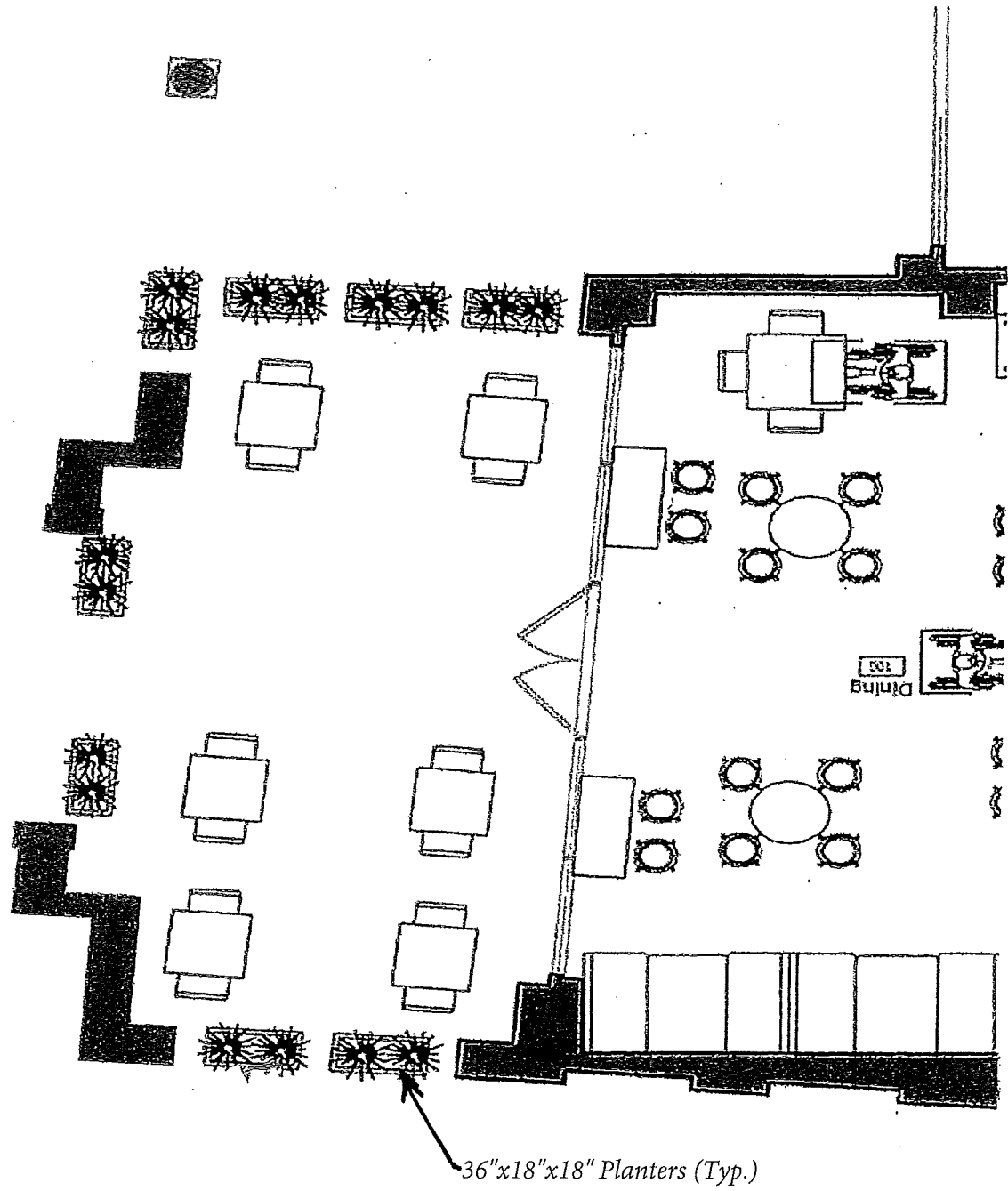
If the Planning and Zoning Board wishes to approve the Consumption On Premises, the following conditions have been incorporated in the Planning and Zoning Board resolution:

- 2COP to be in conjunction with the restaurant operation;
- Approval is limited to the sale and service of alcoholic beverages between the hours of 10:00am to midnight, Monday through Sunday for both indoor and outdoor seating;
- No outdoor entertainment on premises.

### **ATTACHMENTS:**

- A. Site Plan
- B. Floor Plan
- C. Food menu

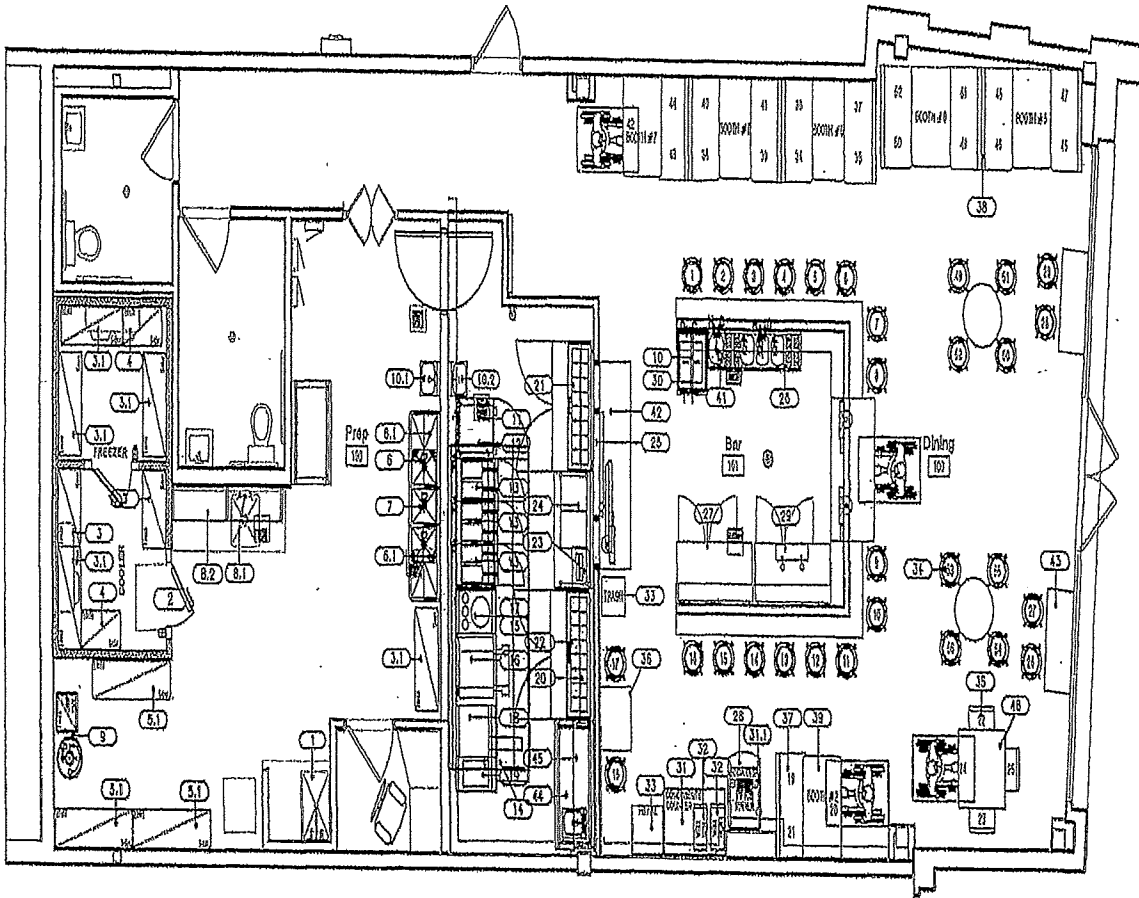
BURGERIM OUTDOOR AREA



Outdoor seating Area: 505 SF  
Outdoor Seating Capacity: 24 Seats

Attachment B

BURGERIM INDOOR FLOOR PLAN



*Indoor Seating Area: 2,183 SF Indoor  
Seating Capacity: 56 Seats*

## STARTERS



### CHICKEN WINGS

with your choice of buffalo, bbq or sweet crunchy chili garlic sauce  
 4-Piece \$6.95 12-Piece \$10.95

### CRISPY CHICKEN STRIPS

with your choice of buffalo, bbq or sweet crunchy chili garlic sauce  
 \$5.95

## SANDWICHES

Choice of garlic aioli, house sauce or tahini on white or wheat roll

### GRILLED CHICKEN SANDWICH

grilled chicken breast, romaine lettuce, tomato & sautéed mushrooms \$8.95

### CRISPY CHICKEN SANDWICH

with romaine lettuce, tomato & grilled onions \$8.95

### GRILLED RIBEYE SANDWICH

with arugula, tomato & grilled onions \$9.95

### CHICKEN BACON AVOCADO WRAP

grilled chicken breast with avocado, romaine lettuce, tomato & bacon in a spinach tortilla \$8.95

## SIDE DISHES

BURGERIM FRIES \$2.95



BURGERIM FRIES

SLIM FRIES \$2.95

ONION RINGS \$3.50



SWEET POTATO FRIES

HALF & HALF  
 (choose 2 of the above) \$3.50

HOME FRIES  
 cubed potatoes tossed in sweet chili sauce topped with sesame seeds \$3.95

SIDE SALAD  
 chopped romaine lettuce, diced tomatoes, cucumbers, red onions tossed with lemon vinaigrette \$3.95

# BURGERIM

OUR BURGERS COME WITH AMERICAN CHEESE, SHREDDED LETTUCE, TOMATO, PICKLES, ONIONS & HOUSE SAUCE  
 Choice of white, wheat, gluten-free bun(+.55) or lettuce wrap

<b>UNO</b> ONE of our Burgers \$ 6.95	<b>DUO</b> TWO of our Burgers \$ 9.95
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<b>TRIO</b> THREE of our Burgers \$ 12.95
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Served With Burgerim Fries & Soft Drink

\*(+.79)  
Per Burger

### CALIFORNIA

Swiss cheese, avocado, mixed greens, tomato, chipotle mayo\*

### COWBOY

Cheddar cheese, bacon, onion ring, zesty bbq\*

### CALIENTE

Pepper jack cheese, Cajun seasoning, jalapeños, shredded lettuce, Habanero pepper mayo\*



### FLAVORS

Beef	Chicken	Merguez	Veggie
Turkey	Dry Aged	Wagyu +.55	Spanish Beef
Lamb	Salmon	Falafel	

### TOPPINGS | FREE

Shredded Lettuce  
Onions  
Red Onions  
American Cheese

Romaine Tomato  
Grilled Onions  
Pickles

### VEGGIES & MORE | (+.25) Per Burger

Pineapple  
Arugula  
Sautéed Mushrooms

Roasted Bell Peppers  
Mixed Greens  
Jalapeños

### CHEESE | (+.35) Per Burger

Swiss Cheddar Bleu Pepper Jack

### FAVORITES (+.55) Per Burger

Bacon Avocado Fried Egg

## SALADS

ADD GRILLED CHICKEN OR CRISPY CHICKEN OR BURGER PATTY +\$2.00  
 ADD SLICED GRILLED RIBEYE +\$3.00



### PANZANELLA SALAD

mixed greens and romaine lettuce with sautéed red onions, red and yellow bell peppers, tomato, sautéed mushrooms, cucumbers, radishes, Kalamata olives, almonds and croutons tossed with balsamic vinaigrette \$8.95

### CAESAR SALAD

chopped romaine tossed with Caesar dressing, croutons and Parmesan cheese \$7.95

### BURGERIM CHOPPED SALAD

diced tomatoes, cucumbers, red onions served on a bed of romaine lettuce with tahini \$8.95

### BASKET SALAD

arugula and mixed greens, sliced strawberries, candied pecans tossed with balsamic vinaigrette topped with goat cheese crumbles \$8.95

## KIDS MEAL

### UNO BURGER OR CRISPY

CHICKEN STRIPS  
 cucumbers, Burgerim fries & kids drink \$5.95

## DRINKS

FRESHLY BREWED  
 ICED TEA \$2.50

COCA-COLA  
 SOFT DRINKS \$2.50

## DESSERTS

NEW YORK CHEESECAKE \$3.95

MARSHMALLOW DREAM \$2.95

FLOURLESS CHOCOLATE CAKE \$3.95  
 (Gluten Free)

## THE PARTY BOX

16 OF OUR BURGERS  
 (UP TO 4 OF YOUR FAVORITES)  
 \$ 44.95

BURGERS  
 À LA CARTE

UNO-\$5.95  
 DUO-\$7.95  
 TRIO-\$18.95

