

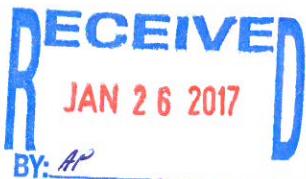


DRC 2/28/17

City of Margate
DEVELOPMENT REVIEW COMMITTEE
Application for Special Exception (new construction)

5790 Margate Blvd., Margate, FL 33063
954-972-6454

Submittal Date (official use):



Project Name		Blossman Gas - Outside service	
Address		3103 N. State Road 7, Margate, FL	
Acreage	Folio Number	4841 24 10 0030	
Existing Use Commercial center with surface parking			
Legal Description MARGATE PLAZA NO. 1 132-50 B, BEG AT NORTHERNMOST SE COR, of Plat, NLT 162, WLY 165, SWLY 150.99, SLY 120, ELY 249, NELY 70.71 TO POB AKA: PARCEL "A" PER DRC-6 SURVEY JOB NO 86145-001			

Describe proposal/request in detail, including non-residential square footage and/or number of dwelling units

See attached narrative

Agent/Contact Name **Steven Wherry, Esq. / Greenspoon Marder**

Address 200 E. Broward Blvd., Suite 1800, Fort Lauderdale, FL 33301

Phone Number **754-200-7017** Fax Number **954-333-4157**

Email Address **steven.wherry@gmlaw.com**

Property Owner Name **LE-PSL LLC ETAL C/O LEDER GROUP, INC.**

Address **4755 Technology Way, #203, Boca Raton, FL 33431**

Phone Number **561-807-2770** Fax Number

Email Address **smleder@ledergroup.com**

OWNER'S AFFIDAVIT: I certify that I am the owner of record for the above referenced property and give authorization to file this petition. I understand that I, or a representative on my behalf, must be present at the DRC meeting. I further understand that my petition will be subject to the regulations of Chapter 16 1/2 of the Margate City Code.

Property Owner's Signature

Date

1/18/17

City of Margate
*** CUSTOMER RECEIPT ***

Batch ID: RRODI 2/01/17 00 Receipt no: 64016

Type	SvcCd	Description	Amount
EI	ECDV	SPECIAL EXECPT. USE	
	Qty	1.00	\$500.00

GREENSPOON MARDER
CLIENT COST ADVANCE
100 W CYPRESS CREEK RD, #700
FT LAUDERDALE, FL 33309
DRC #02-17-08
SPECIAL EXCEPTION USE
BLOSSMAN GAS-OUTSIDE SERVICE
3103 N STATE ROAD 7
BY STEVEN WHERRY, ESQ
GREENSPOON MARDER
200 E BROWARD BLVD., #1800
FT LAUDERDALE, FL 33301
754-200-7017
STEVEN.WHERRY@GMLAW.COM

Tender detail

CK Ref#:	11317	\$500.00
Total tendered:		\$500.00
Total payment:		\$500.00

Trans date: 2/01/17 Time: 16:31:35

HAVE A GREAT DAY!

City of Margate
*** CUSTOMER RECEIPT ***

Batch ID: RRODI 2/08/17 00 Receipt no: 68222

Type	SvcCd	Description	Amount
EB		ECDV BANNERS	
	Qty		1.00
			\$150.00

GREENSPOON MARDER
100 W CYPRESS CREEK RD., #700
FORT LAUDERDALE, FL 33309
DRC #02-17-08
SPECIAL EXCEPTION USE
OUTSIDE SERVICE-BLOSSMAN GAS
DANDEE DONUT PROJECT
BY STEVEN WHERRY, ESQ.
GREENSPOON MARDER
200 E. BROWARD BLVD. #1800
FORT LAUDERDALE, FL 33301
(754) 200-7017
STEVEN.WHERRY@GMLAW.COM

Tender detail
CK Ref#: 11318 \$150.00
Total tendered: \$150.00
Total payment: \$150.00

Trans date: 2/08/17 Time: 16:55:56

HAVE A GREAT DAY!

Special Exception Narrative – Outside Service

LE-PSL LLC c/o Leder Group, Inc. (“Applicant”) owns the property located at 3103 N. State Road 7, Margate, Florida (“Property”). The Property is located at the intersection of North State Road 7 and NW 31st Street. Currently on the Property is an existing 8,528 square foot commercial building, and the Applicant is proposing to renovate approximately 6,028 square feet of the existing building for the new Blossman Gas location (“Blossman”) and add a 1,000 gallon above ground propane tank on the west side of the existing building. Blossman Gas is the largest family-owned propane business in America. They have been providing gas to thousands of customers for over 60 years. The store will sell fireplaces, stoves, refrigerators, grill and other sustainable, low emission, and fuel-efficient gas-powered appliances. The Applicant is proposing to provide the above ground propane tank to service customers who need to have their propane tanks refilled and also to fill the tanks for the store’s appliances and display items that are located within the retail business. Customers needing tanks refilled will bring the tanks into the store where they will be handed to the technicians who will take the tank outside to be filled and returned to the waiting customer. The above ground tank will be placed along the side of the building and will be shielded from view by a 36-inch wide landscape screen to conceal the tank from customers and from the adjoining shopping plaza. The zoning for the Property is transit oriented corridor – gateway (TOC-G) which does not allow for outside service related to a permitted use without a special exception approval as stated in Section 8.4(B)(j) of the Code.

Therefore, the Applicant seeks a special exception use approval from the provisions of the Code to allow for outside service to customers at the Property. The Applicant satisfies the special exception use approval conditions in Section 22.10 of the Code as follows:

- (a) Compatibility of the use and site plan elements with the indigenous environment and with properties in the neighborhood, as outlined in the Margate Comprehensive Plan.**

The Property is compatible with the indigenous environment and with the properties in the neighborhood as outlined in the Margate Comprehensive Plan (“Comprehensive Plan”). The Property is located within the City’s TOC-G zoning district. The purpose of this zoning district pursuant to the City’s Comprehensive Plan includes, but is not limited to, stimulating redevelopment efforts within the City while providing opportunities for mixed use development. The Proposed Development will offer convenient propane gas services meeting the needs of the surrounding neighborhoods, and the proposed use of the Property is in compliance

with the goals and objectives of the TOC-G zoning and commercial use of the Property. The outside service will be a convenient option for those using the main thoroughfare of State Road 7 or having to travel to large home goods retailer when their needs are specific to propane gas use or shopping for high-quality gas appliances.

The Property is located adjacent to an existing shopping center, and the design of the proposed plan of development will be consistent with the orientation, location size, and features of buildings, and appearance and harmony of the buildings with nearby development and commercial land uses. The existing development is a contemporary design with neutral colors that blend and are compatible with the existing surrounding buildings located through-out the shopping center site.

Per the City's Comprehensive Plan, many strip centers in the TOC-G zoning category do not meet current landscaping, parking, and setback requirements, and are in need of redevelopment and that such redevelopment efforts should focus on the State Road 7 corridor. The proposed development will improve the current conditions of the Property by making improvements in line with the City's Comprehensive Plan such as improving the landscaping, improving the walkability of the Property by connecting the Property to a walkway to the shopping center adjacent to the Property, improving the lighting with high efficiency LED lighting, improving traffic circulation and removing current vehicular dead end conditions at the Property, and developing an attractive and convenient Dandee Donuts at the building, which is currently vacant.

(b) Substantial detrimental effects of the proposal on the property values in the neighborhood.

The operation of Proposed Development will not have detrimental effects on the property values in the neighborhood. The Property is surrounded by other compatible commercial business uses such as the adjacent shopping center and other restaurants, banks, drug store, and food markets. The Proposed Development is not adjacent to residential uses and will not have detrimental effects on property values in the neighborhood. Approving the special exception requests will allow the activation of currently unused, vacant retail space, which will help improve property values and promote safer streets by virtue of the increased activity, a factor that will also help improve property values. As shown on the site plan the above ground propane tank will be concealed from view by heavy landscaping screen and is not accessible to the public.

(c) Substantial detrimental effects of the use on living or working conditions in the neighborhood.

The Proposed Development will not have any detrimental effects on the living or working conditions in the neighborhood. As set forth above, the Proposed Development is surrounded by other commercial uses that are compatible with the

Development is surrounded by other commercial uses that are compatible with the proposed use. The plan for the Proposed Development will comply with all provisions of the Code. Further, the Proposed Development will serve the commercial use needs of the surrounding neighborhoods, residents and visitors in the City.

(d) Ingress and Egress to the development and proposed structures, with particular reference to automotive and pedestrian safety, control of automotive traffic, provision of services and servicing of utilities and refuse collection, and access in the case of fire, catastrophe, or emergency.

As reflected on the survey, there is proper ingress and egress to the Property to allow for the servicing of utilities and refuse collection, and access in case of fire, catastrophe or emergency. The ingress and egress for the Property has not been modified from the existing vehicular access. The internal circulation of the Property has been modified by eliminating a dead end condition on the site to improve traffic flow. The dumpster collection location has been moved to an area more accessible to the garbage trucks closer to the main entrance of the Property. A full loop circulation has been designed in the parking lot to improve traffic flow. As to pedestrian flow, the existing single entrance to the building has been modified to connect the Property to a linear pedestrian promenade so that the Property is connected by a walkway to the adjacent shopping center to improve pedestrian flow.

(e) Off-street parking location and relation to buildings, internal traffic safety, traffic flow and control, access in case of fire or emergencies, and screening and buffering.

As indicated on the site plan, the location of parking provides easy and safe access to the uses on the Property. In addition, the location of the above ground tank will not interfere with parking, internal traffic safety or traffic flow. The tank will be located along the west side of the existing building within the bufferyard and landscape area already provided on the site. A fence and landscaping materials will be placed between the tank and the parking spaces adjacent to the location.

(f) Orientation, location size, and features of buildings, and appearance and harmony of the buildings with nearby development and land uses.

The orientation, location, size and features of the Proposed Development are in harmony with the surrounding buildings and nearby development and land uses. As set forth above, the Proposed Development is surrounded by other compatible commercial uses such as restaurants, banks, drug store, and food markets. The Property is located adjacent to an existing shopping center and the design of the proposed plan of development will be consistent with the orientation, location, size, and features of buildings, and appearance and harmony of the buildings with nearby development and land uses. The proposed plan of development will be a

contemporary design with neutral colors that blend and are compatible with the existing surrounding buildings.

(g) Sufficiency of setbacks, buffers, and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of site generated noise, lights, fumes, and other nuisances.

The plan for the Proposed Development provides setbacks and buffers that meet Code requirements. The Proposed Development integrates and provides for general amenities that preserve the harmony and compatibility with the surrounding uses. As a result, the impact of any noise, lights, fumes or other potential nuisances will be controlled. Parking lighting will be improved by adding LED energy efficient fixtures with lighting compatible with the surrounding commercial properties.

(h) Adequacy of stormwater management with attention to the necessity for on-site retention to alleviate flooding and ground water pollution without compromising the aesthetics and maintainability of landscaping.

Stormwater management continues to be provided as part of the already built site, and the site modifications requested will not negatively affect the existing conditions in order to alleviate flooding and ground water pollution. Therefore, the aesthetics and maintainability of the landscaping will not be compromised. All existing drainage will remain in place.

(i) Adequacy of landscaping an emphasis on the preservation of existing trees, the use of native species, and the use of berthing along street perimeters.

Currently, the Property is not consistent with the City's landscape Code, but the Applicant's landscape plan demonstrates landscaping that meets the Code's requirements with an emphasis on the preservation of existing trees and adding additional landscaping at the Property. The Property's landscaping along State Road 7 and NW 31st Street is consistent and contiguous to the surrounding landscaping to the north and west of the Property.

(j) Compliance with applicable goals, objectives, and policies of the Margate Comprehensive Plan.

The proposed use furthers the goals, objectives, and policies of the Comprehensive Plan as follows:

- The Proposed Development will further the goal of commercial properties creating a net gain to local government
- The Proposed Development will satisfy the concern raised with commercial development of having a responsibility to protect existing and proposed residential, recreational and public facility areas from any adverse impacts

- The Property is designated Transit Oriented Corridor (“TOC”) on the City’s Future Land Use (“LUP”) Map. Pursuant to Objective 4, Policy 4.18, the TOC category allows for a mix of land uses limiting the allowable square footage of commercial usage in the TOC to 4,454,894, as shown on the site plan. The Applicant proposes to practice sustainable, urban design principles by renovating and improving the vacant commercial space on site. The re-use of the existing structure will have little or no impacts on the City’s infrastructure and current levels of service
- Pursuant to Objective 2, Policy 2.2 Commercial, Industrial and other non-residential land use plan designations shall be located in a manner which facilitates their serving, but does not adversely impact existing and designated residential areas. As stated above the Property is located within the TOC and will not adversely impact existing residential areas. The redevelopment of the site will allow for the containment of these commercial uses well within the TOC area

(k) Compliance with the applicable goals, objectives and policies of the Margate Community Redevelopment Plan.

The Property is located within the Community Redevelopment Area (“CRA”). The Property is currently an abandoned vacant building located adjacent to an existing shopping center, and the Applicant proposes to develop the drive-through Dandee Donuts and ATM, which will include making certain improvements required for the Property to permit this use at the Property and to bring the Property in compliance with the City’s Code. The plan of development as further described above, which will create an attractive and convenient commercial use at the Property, is in compliance with the following applicable goals, objectives, and policies of the CRA:

- Redevelopment Policy GOAL 2: Prevent the future occurrence of slum and blight.
- Economic GOAL 1: Establish a diverse, identifiable character for the City within the Redevelopment Area while promoting economic vitality through private sector investment.
- Economic GOAL 2: Invigorate the business community and revitalize existing commercial properties.
- Economic GOAL 3: Market the Redevelopment Area as a major destination point.
- Public Facilities and Services GOAL 2: Plan and support a safe efficient traffic circulation system that implements the City Center development and TOC zoning districts, and provides sufficient access for all modes of transportation between activity centers within the Redevelopment Area and the balance of the community.