



**REGULAR MEETING OF
THE DEVELOPMENT REVIEW COMMITTEE
MINUTES**

Tuesday, February 26, 2019

10:00 AM

City of Margate
Municipal Building

PRESENT:

Andrew Pinney, Senior Planner
Alexia Howald, Associate Planner
Tom Vaughn, Chief Plumbing Inspector
Kevin Wilson, Fire Inspector
Dan Topp, Community Development Inspector
Diana Scarpetta, CRA Project Specialist
Lt. Ashley McCarthy, Police Department
Alberto Torres-Soto, Senior Engineer, DEES

ABSENT:

Robert Massarelli, Director of Development Services
Mark Collins, Public Works Director

The regular meeting of the Margate Development Review Committee (DRC) having been properly noticed was called to order and a roll call was taken by Andrew Pinney at 10:00 a.m. on Tuesday, February 26, 2019, in the City Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, FL 33063.

1) NEW BUSINESS

ID 2019-014

- 1A) RECONSIDERATION OF A **SITE PLAN** FOR A NEW 4,443 SQUARE FOOT RESTAURANT ASSOCIATED WITH A DRIVE THRU
LOCATION: 5510 WEST COPANS ROAD
ZONING: TOC-G
LEGAL DESCRIPTION: A PORTION OF TRACT "A", "MARGATE HEADQUARTERS", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 88, PAGE 14 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA
PETITIONER: BILL PFEFFER, P.E., BOWMAN CONSULTING, AGENT FOR MEDALIST RESTAURANT GROUP, LLC.

Bill Pfeffer, P.E., Bowman Consulting, introduced himself and gave a brief review of the revisions that were made to the reconsideration of site plan.

Development Services Department

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City Commission

Mayor Anthony N. Caggiano
Vice Mayor Tommy Ruzzano
Antonio V. Arserio
Arlene R. Schwartz
Joanne Simone

City Manager

Samuel A. May

Interim City Attorney

Goren, Cherof,
Doody & Ezrol, P.A.

City Clerk

Joseph J. Kavanagh

DRC Comments:

Tom Vaughn, stated that plans and applications will need to be submitted to the Building Department.

Kevin Wilson, commented that the Fire Department approves the project.

Dan Topp, had the following comments:

- Wire stakes are prohibited per 23-5 (B)(4) of the Margate Code of Ordinances.
- Provide 17 Category 2 trees feet under power lines along Copans Road per 23-6 (B)(1).
- Provide information for trees labelled CB.
- The scale shown on LA-1 is 1 in = 30 ft. but the plan appears to be drawn at 1 in. = 20 ft.
- Show on the Landscape Requirements Chart compliance with the requirements of 23-8 for interior landscaping required per each parking space.
- Clearly show trees to remain and trees provided, show canopy to be removed versus new trees. Number the trees for clarity.
- See 23-5 for required heights for categories of trees. Some specifications are below code requirements.
- On the south and west perimeters sod may not exceed 30 percent of total area per 23-7(A)(1).
- Show spacing for parking lot lights on landscape plan and provide a photometric plan.

Alexia Howald, asked for clarification on the plan on what "CB" meant on sheet LA1 of the landscape plan.

Diana Scarpetta, had no comment.

Alberto Torres, had the following comments:

- Site calculations does not match the lot area.
- Sheet C-3 shows a storm water manhole as sanitary manhole.
- Tree removal (trees 1, 6, 11, 13, 19, 23, 26, 27, 30, 31 and 33) shall not be replaced on a ratio of 1:1, but replaced by value. Provide the value of the trees and proposed schedule.
- Preliminary impact fees calculation:
 - Water and Sewer = \$55,761.30
 - Fire and Police = \$16,346.61
- Provide transition between the proposed sidewalk to the existing sidewalk on NW 55th Avenue.
- Relocate the street and the curbing impacting the drainage easement parallel to NW 55th Avenue. The internal street shall be moved to the west.
- Drainage Report:
 - Storm drainage report does not match the approved modification of the Surface Water Management License for the property.
 - The existing condition to be considered in the analysis shall be the post condition on the SWML2016-045-2.
 - The drainage report is inconsistent with the drainage calculation

- Drainage Plan:
 - The Drainage Plan will be affected by the revision of the drainage calculation.
 - Drainage pipe minimum trench detail shall be applied to all the storm drainage pipes, especially on the HDPE pipes that depends on backfill the lateral support. The condition was found on the south storm drainage pipes, but needs to be verify on all the project.
 - Relocate the exfiltration trench between M-2 and M3. The trench has too many confits with the water and sewer lines.
 - Provide information for the drainage manhole located at the northeast corner of the property.
 - Provide information for the pipes interconnection the underground storage chambers.
 - Provide more interconnections between the underground storage chambers zones to improve the equalization of the storm drainage.
 - Provide swales at the green area between the south parking areas and allow the site to also drain on those swales.
 - Provide a swale between the sidewalk at NW 55th Avenue and the edge of pavement.

Mr. Pfeffer commented that the swale was shown on the cross-sections, which is shown on C13 cross-section "C". Mr. Torres acknowledged this and asked that it be lowered at least six (6) inches.

Mr. Torres final comment was in regards to providing information at each construction phase to avoid any impact in the drainage and utilities at the Wawa site. He said that drainage intertwines with each other and Wawa should not be impacted by the new project. Mr. Pfeffer stated that they will address the constructability component of the system to show that it functions. Mr. Torres requested the information to be with the construction plans for his review.

Ashley McCarthy, stated that she does not have any public safety related issues to the site plan at this time.

Andrew Pinney, had additional comments on the landscape plan in regards to verifying the sizes, clarifying that the Category 1 will need to be at least twelve (12) feet tall with a two (2) inch diameter breast height (DBH). He stated that the conflicts with the tree disposition plan and the landscape plan need to be corrected. Mr. Pinney said that the spacing of the light fixtures will need to be at least ten (10) feet away from the edge of any tree canopy. He then stated that the civil plans have an inconsistency with the symbols on the legend versus what is on the plan, in addition the proposed transformer is missing from the site plan. He referenced sheet C10 which gives the details for the dumpster enclosure and the monument sign, the address facing Copans Road is an option and if shown will need to vertical. The color rendering of the building has an error on the columns, which shows a lighter color but labeled a darker color. He said a photometric plan will need to be submitted; light level 2 will be required if they plan on staying open after 7:00 pm, which would be a minimum of 2.0 foot candles. Mr. Pinney said that the floor plan will need a scale, and a parking calculation will need to be provided for Culver's.

Mr. Pinney said that there are still a few technical details to be worked out; and moving forward with the special exception, the subdivision resurvey will follow the same track going to Planning and Zoning and then to City Commission.

Mr. Pfeffer asked if the easements have been cleared up? Mr. Torres responded that he is reviewing to verify that everything has been done appropriately, which will cover the easement portion of the property. Mr. Pfeffer asked when this will be able to go on an agenda? Mr. Torres answered that he will be completing his review this week. Mr. Pinney responded by giving future dates for upcoming meeting, as well as giving a timeline of the site plan.

Mr. Pinney stated that a conditional approval will be granted today.

ID 2019-036

- 1B) RECONSIDERATION OF A **SITE PLAN** TO CONSTRUCT A NEW 2,127 SQUARE FOOT POPEYES LOUISIANA KITCHEN RESTAURANT WITH A DOUBLE DRIVE THRU
LOCATION: 830 SOUTH STATE ROAD 7
ZONING: TOC-C
LEGAL DESCRIPTION: A PORTION OF TRACT "B", "SERINO PARK SECTION 3", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 46 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA
PETITIONER: ANGELA GARGIN, LIVING WATER CONSTRUCTION, AGENT FOR DARREN VEGA, GI OF MARGATE, LLC.

Jerry Scalzo with Living Water Construction introduced himself and gave a brief description of the project.

DRC Comments:

Tom Vaughn, commented that the building permit will require an application and plans.

Kevin Wilson, stated that the Fire Department approves the plans.

Dan Topp, had the following comments:

- Indicate on the landscape calculation chart the required interior landscaping within vehicular areas per 23-8 of the Margate Code of Ordinances. Trees were included but not shrubs and ground covers.
- Verify that there are at least 50 per cent ground covers in areas that don't have trees or shrubs per 23-7(A). Please include these requirements on the landscape calculation chart.
- Include on the plan amenities: benches, public seating, and waste receptacles.
- Show light poles on the landscape plan to avoid conflicts with trees. Light poles must be at least 10 feet from the edge of any tree canopy.

Alexia Howald, asked if the property line (shown on the plan) is the black line subdividing the lot by the dumpster. Mr. Scalzo replied that it is the line separating the lots. Ms. Howald asked why it is diagonal versus straight as shown on the survey. Mr. Les Stevens, Council for the applicant introduced himself and responded stating that because this is part of a joint development with the neighboring storage facility, the garbage enclosure is to be placed on the

Popeye's portion of the site. He said that the property lines have not been legally subdivided yet. Mr. Pinney commented that if there is consideration of subdividing or changing parcel lines then a subdivision resurvey application may be required. He recommends a dedication of easement for access to the dumpster rather than changing the lot lines. Mr. Stevens stated that there is a declaration of easement that has been negotiated between both parties. Mr. Pinney again recommended to leave the lot lines as is and to handle by easement. Mr. Stevens clarified that they are not changing the lot lines, the legal description for Popeye's will include "a portion of" the other lot in their legal description. Mr. Pinney recommended a follow-up meeting.

Miss Howald then asked if the dumpster will be used by both parties? Mr. Scalzo responded "correct".

Diana Scarpetta, had no comment.

Alberto Torres, had the following comments:

- Revise the plans to show what water improvements are currently proposed and what has been completed by Nuvo storage project. Update to show the existing pipelines and the proposed connections, meter, fire hydrants, etc.
- Preliminary Impact fees calculation:
 - Water and Sewer = \$20,367.90
 - Fire and Police = \$5,448.87
- Provide the approved FDOT sidewalk permit and easement agreement.
- Grading and Drainage:
 - Update the drainage plan in order to identify the existing and the proposed drainage system (i.e., pipelines, exfiltration, catch basins, etc.).
 - Grading plan needs to be revised, currently, the grading is affecting the right-of-way near the east side of the property.
 - Provide additional grading information at the access to the existing one-way alley and the curbing near that location.
 - Provide additional grading information at the access on SW 8th Court
 - Drainage calculations need to be revised and updated. The calculations do not match the site elevations and water table conditions.
 - The Engineering Division strongly recommends a meeting with Broward County Surface Water Management Division. Please contact Mr. Jose Portillo at the County; his phone number is 954-519-1243.
- Provide Drainage and Maintenance Agreement for both properties, to include the surface water management operational license.

Ashley McCarthy, had no public safety related comments at this time.

Andrew Pinney, commented that there is a slight conflict between the site plan and the floor plan with the double doors; make both plans consistent. He stated that the dual menu boards cannot face the right-of-way, they will need to be rotated so that they are not facing 8th Court. Mr. Pinney recommended to do an alternate material within the dedicated crossing in the drive-thru lanes, to make it stand out. He continued with the site plan comments, requesting that the bollards at the alleyway be removed, because it is creating a 200-foot deep dead end. Mr. Scalzo stated that he spoke with Mr. Massarelli about this and that he requested that they

remain due to security reasons. Mr. Pinney said that he will discuss this with Mr. Massarelli upon his return. He said that the parking calculation looks good and asked to remove the label for the reserve parking spaces by the dumpster, he explained that a surplus has to be demonstrated prior to requesting reserve parking for another property. Mr. Pinney stated that the landscape plan shows crepe myrtles along the State Road 7 curb, he recommends pulling them back towards the sidewalk to shade the pedestrians as well as to pull them away from the overhead power lines. Mr. Scalzo asked what the required setback is? Mr. Pinney responded that he recommends them being pulled further back and reminded them that it is a big swale area and if it is within six-feet of any public infrastructure, such as a sidewalk or curb, it will require a root barrier. He then stated that the trees that are currently there can be counted towards the requirement; he then stated that an FDOT permit will be required for planting or irrigation in the swale. Mr. Pinney said that the hedge located at the parking area on the north side of the building will need to be pulled back a couple of feet. The photometric plan shows a number of areas in the vehicular use area that dropped below two-foot candles, the minimum for light level two is two-foot candles which will allow Popeye's to be open beyond 7:00 p.m. He stated that the photometric plan and the landscape plan will need to match, there are a number of areas where there is a light pole in the same exact spot where a tree is going.

Mr. Torres commented in regards to the trees along the swale, saying that FDOT will have their own requirements.

Mr. Pinney stated that a number of technical comments have been given, and that he will then give a conditional approval; however, there are a number of items that will need to be addressed prior to going to the Planning and Zoning Board. Mr. Pinney went on to explain the process for Planning and Zoning.

- ID 2019-037*
- 1C) RECONSIDERATION OF A **SPECIAL EXCEPTION** TO ALLOW A DOUBLE DRIVE THRU ASSOCIATED WITH A RESTAURANT.
LOCATION: 830 SOUTH STATE ROAD 7
ZONING: TOC-C
LEGAL DESCRIPTION: A PORTION OF TRACT "B", "SERINO PARK SECTION 3", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 46 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA
PETITIONER: ANGELA GARGIN, LIVING WATER CONSTRUCTION, AGENT FOR DARREN VEGA, GI OF MARGATE, LLC.

Mr. Pinney commented that most of the issues have been addressed. He reminded the board that the special exception use is for the drive-thru and the exterior walk-in cooler.

DRC Comments:

Tom Vaughn, had no comment

Kevin Wilson, had no comment

Dan Topp, had no comment

Alexia Howald, had no comment

Diana Scarpetta, had no comment

Alberto Torres, had no objection

Ashley McCarthy, had no comment

Andrew Pinney commented that the justification has been rewritten and it is better than the first time around. He also requested the market study be submitted to meet the criteria of the special exception. Mr. Pinney stated that DRC will approve this item and it will then move forward the Planning and Zoning, once the site plan is completed with all the technical comments.

Mr. Scalzo asked if plans can be submitted to the Building Department for preliminary review? Mr. Vaughn responded that plans can be submitted for pre-plan review. He does recommend that they contact the Building Official, Mr. Richard Nixon.

Mr. Pinney recapped that the special exception will go before the Planning and Zoning Board for recommendation and it will then go to City Commission for a Quasi-Judicial Hearing. Sometimes the Commission will add-on conditions, so final site plan approval will take place after Commission approval so any conditions can be incorporated. He said that once final site plan approval is given, Zoning can then review and approve a building permit for the use.

2) GENERAL DISCUSSION

There being no further business, the meeting was adjourned at 10:50 AM

Respectfully submitted,



Andrew Pinney
Senior Planner

Prepared by Melissa M. Miller

Date: 2/11/19