



CITY OF MARGATE

DEVELOPMENT REVIEW COMMITTEE (DRC) REVIEW #2

July 13, 2021

| PROJECT NAME: | FirstGate Commerce Center | | |
|---------------------------|-------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|------------------|
| PROJECT NUMBER: | 2021-267 | | |
| LOCATION: | 5301 Copans Road | | |
| APPLICANT/AGENT: | Mike Gai, Sun-Tech Engineering, Inc., agent for Chris Willson, 5355 Northwest 24 th Street, LLC. | | |
| REVIEW/APPLICATION | Plat Note Amendment | | |
| DISCIPLINE | REVIEWER | EMAIL | TELEPHONE |
| DRC Chairman | Elizabeth Taschereau – Director | etaschereau@margatefl.com | (954) 884-3686 |
| Planning | Andrew Pinney – Senior Planner | apinney@margatefl.com | (954) 884-3684 |
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| Public Works | Gio Batista – Assistant Director | gbatista@margatefl.com | (954) 972-8123 |
| CRA | Vacant | | |
| Police | Lt. Ashley McCarthy – Police Department | amccarthy@margatefl.com | (954) 972-1232 |

Any questions regarding the DRC comments, please contact the appropriate department.

Applicant is required to address EACH comment and to revise plans accordingly (acknowledgements are not corrections).

DRC comments follow.

DEPARTMENTAL COMMENTS

BUILDING

1. No comments.

FIRE

1. No comments.

PUBLIC WORKS

1. No comments.

POLICE

1. No comments.

ENGINEERING

The Director of the Department of Environmental and Engineering Services, or his qualified designee, has conducted a review of the submitted documentation in accordance with Article IV, Chapter 31 of the City of Margate's Code of Ordinances and finds the following:

A. TRAFFICWAYS

1st review comments italicized

Please amend the traffic statement to analyze the fully developed plat. If you believe that credits are due for vested trips, include those in the study/statement and comply with the procedure outlined in section 31-43 of the City's Code of Ordinances.

Presuming that the total trips attributable to the fully developed plat will exceed 500 trips per day, please note, that your study will need to include an analysis of all public streets and intersections within a one-mile radius of the perimeter of the plat, in accordance with Code Section 31-35(2)C.

2nd Review comments

1. Illustrate in your submission where and how you have complied with comments from the first City review dated February 21, 2021.
2. Provide your rationale for using 0.78% growth rate to determine traffic count in 2023.
3. Your current traffic study appears to include analysis of only the three intersections adjacent to the site and no roadway segments. In accordance with Section 31 -35(c) of the City Code, an applicant for a development permit which will generate in excess of five hundred (500) trips per day shall be required to submit to the city a traffic impact statement that assesses the impact of the proposed development on all public streets and intersections within a one-mile radius of the perimeter of the development. Accordingly, submit a traffic impact statement that complies with the code.
4. The traffic report predicts that all intersections will operate adequately until 2023. Explain what happens after 2023.
5. Explain the difference between "Existing" and "Background" in Table 2 and show the existing and future LOS.

B. POTABLE WATER AND WASTEWATER

1st review comments italicized

Adequate. The City's water and wastewater plants both have available capacity to meet the service demands of the proposed development, which are 13,500 GPD for water to be delivered and wastewater to be generated.

Please note that this determination shall not be construed as a reservation of capacity for the development unless a developer's agreement has been executed with the City specifically reserving water and wastewater treatment capacity.

2nd Review comments

None

C. DRAINAGE

1st review comments italicized

Provide copies of the permits and associated documentation, including plans and drainage calculations, referenced in your concurrency review. Such documentation must demonstrate that the developed site has been approved and accepted by Cocomar Water Control District and SFWMD.

2nd Review comments

Illustrate in your submissions where and how you have complied with comments from the first City review dated February 21, 2021.

D. SOLID WASTE

1st review comments italicized

Adequate.

2nd Review comments

None

E. GENERAL

1st review comments italicized

1. *The application indicates that its intent is to "Revise Plat Note **from** 'This plat is restricted to 71,705 square feet of automobile dealership use and a fire station on Tract A' **to** 'This plat is restricted to 71,705 square feet of automobile dealership use and a fire station on Parcel A and 135,000 square feet of Industrial on Parcel B.'"*

However, the only restrictive note on the Sherman Plat provided with your application reads "This plat is restricted to Industrial use only. Commercial / Retail uses are not permitted without the approval of the Board of County Commissioners, who shall review and address these uses for increased impacts. This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by agreement with Broward County."

A. Accordingly, please provide sufficient clarification or amend the application to accurately describe the revision being sought. In accordance with the existing note on the existing plat, the proposed increased intensity of industrial use shall be approved by

the Broward County Board of County Commissioners prior to issuance of Building or Engineering Permits.

- B. *Please revise your application to accurately reflect the wording of the current restrictive plat note so that the documentation accurately memorializes the changes being made or sought at this time.*

2nd Review comments

Illustrate in your submissions where and how you have complied with comments from the first City review dated February 21, 2021.

DEVELOPMENT SERVICES

A review was conducted of the plat note amendment application in accordance with Chapter 31 of the Code of the City of Margate.

Background:

The subject property is a ~9.30-acre site located within an existing 29.116 -acre plat. The subject property of this application is located at 5301 West Copans Road and is currently unimproved. The subject property is bounded to the north by NW 24th Street, to the east Banks Road, to the South by Copans Road and to the west by AutoNation (Mullinax) vehicle dealership. The subject property is located within the Light Industrial (M-1) zoning district and has an underlying land use designation of Activity Center (AC). The subject property was assigned its address on March 2, 2021 by the Department of Environmental and Engineering Services (DEES).

This resubmittal of a plat note amendment application was submitted in conjunction with a site plan application and a subdivision resurvey application. The plat note amendment was first reviewed at the February 23, 2021 DRC meeting. The site plan and subdivision resurvey applications were presented at the Development Review Committee (DRC) meeting on November 10, 2020, and received approval with conditions.

Nature of M-1 District:

Section 24.2 of the Margate Zoning Code provides the purpose of the light industrial district was established “to provide for light manufacturing and heavy commercial uses for large corporations as well as small entrepreneurs in multitenant warehouse space”. Each zoning district provides a unique set of permitted uses and development standards. The proposed use of warehousing and distribution meets the intent of the zoning district and is identified as a permitted use in Section 24.3 of the Margate Zoning Code.

Section 24.2. - Purpose and general description.

The M-1 light industrial district is intended to provide for light manufacturing and heavy commercial uses for large corporations as well as small entrepreneurs in multitenant warehouse space.

The applicant is requesting to amend the note on the plat to be consistent with proposed development of a warehouse and distribution center located at 5301 West Copans Road.

This plat note amendment application request is to amend the existing notation on the face of plat as follows:

FROM:

“This plat is restricted to 71,705 square feet of automobile dealership use.”

TO:

“This plat is restricted to 71,705 square feet of automobile dealership use and a fire station on Parcel A and 135,000 square feet of Industrial on Parcel B.”

Review and Analysis:

Pursuant to Article III, Section 31-31 of the Code of the City of Margate, the purpose of this article is to establish guidelines and procedures to ensure the development review is consistent with the city's comprehensive plan, the Broward County Land Use Plan and the health, safety and general welfare of the residents of the city.”

Sec. 31-31. - Purpose.

The purpose of this article is to implement development review requirements of the city's comprehensive plan and the Broward County Land Use Plan; discourage haphazard land development; ensure that urban delivery services are not unduly overburdened by premature development; coordinate departmental review; and protect the health, safety and general welfare of the residents of the city.

Pursuant to Section 31-35 of the Code of the City of Margate, certain findings must be made in order to approve a development permit, as defined in Section 31-41. Development Services reviews applications for a development permit for consistency with the Comprehensive Plan, Conformity with the Margate Zoning Code, and in the case of site plans, conformity with Chapter 23 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.

Sec. 31-41. - Definitions.

Development permit. Any building permit, zoning permit, subdivision or plat approval or site plan approval, **including amendment to the notation on the face of a plat**, special exception, variance or other official action of the City of Margate, but does not include any variance or other official action necessary solely for the purpose of issuing a permit, other than a building permit, pursuant to the South Florida Building Code, 1984, Broward Edition, as amended.

I. GENERAL

COMMENT 1: This resubmittal of a plat note amendment application references Parcel A and Parcel B of the Sherman Plat however, no legal description and sketch of the proposed parcels have been provided with this resubmittal. Provide legal descriptions and sketches as exhibits with each submittal.

II. CONFORMITY WITH CODE

The proposed development is subject to Article XXIV of the Margate Zoning Code. The proposed use of warehousing and distribution is a permitted use in Section 24.3 of the Margate Zoning Code.

Pursuant to Section 31-42, for a replat, or an amendment to a note on a plat, or a requirement to place a note on a plat, where property was platted after March 20, 1979, an adequacy determination shall be required for those additional trips that equal the difference between the previous plat and the replat; or the previous note and the proposed amendment to the note; or the development approved by the county commission at the time of plat approval and the proposed note to be placed on the plat.

Sec. 31-42. - Development subject to adequacy determination.

(a) For plats or replats, or for site plans or building permits where the property is unplatted or was platted, with plat approval received before March 20, 1979, all development of previously vacant land except that specified in subsection (c) below, shall be subject to an adequacy determination unless a site plan has been approved prior to December 1, 1989 and development activity has occurred within the plat or replat area.

(b) All development of previously improved lands shall be subject to an adequacy determination for the additional trips that equal the difference between the trips to be generated by the development specified in the proposed note on the plat and one hundred ten (110) per cent of the trips generated by any existing development. Existing development shall be construed to include previous development demolished no earlier than eighteen (18) months previous to the date the final plat application is submitted, or the application for a site plan or building permit approval is submitted.

(c) For a replat, or an amendment to a note on a plat, or a requirement to place a note on a plat, where property was platted after March 20, 1979, an adequacy determination shall be required for those additional trips that equal the difference between the

previous plat and the replat; or the previous note and the proposed amendment to the note; or the development approved by the county commission at the time of plat approval and the proposed note to be placed on the plat.

(d) Except as exempted above, all plats approved after October 1, 1989 by the Broward County Commission and all development permits approved after December 1, 1989 by the City of Margate must undergo adequacy determinations to meet concurrency.

(e) Land suitable for residential development pursuant to applicable land development regulations shall be designed to provide for the educational needs of the future residents of the developed area and shall be in compliance with subsection 5-182(m) of the Broward County Land Development Code.

ADVISORY NOTE: DEES to review traffic impacts per Section 31-35.

Section 31-49 provides that an application for a development permit that is subject to concurrency review shall be accompanied by the following information in addition to any other requirements contained within the city Code.

Sec. 31-49. - Application requirements for concurrency determination.

An application for a development permit that is subject to concurrency review shall be accompanied by the following information in addition to any other requirements contained within the city Code.

(1) *Project description:* Applicant, location, land use and zoning, density or intensity, project phasing and other pertinent information as determined by the applicant needed to properly review the application.

(2) *Transportation system:* An analysis performed by Broward County or prepared in accordance with the Broward County TRIPS model, as amended from time to time.

(3) *Drainage, solid waste, water and wastewater:* Documentation from the appropriate service provider regarding provision of services.

The request to amend the notation of the face of the plat conforms to the Zoning Code of the City of Margate.

ADVISORY NOTE: DEES to review traffic impacts, drainage, solid waste, water and wastewater per Section 31-35.

III. CONSISTENCY WITH COMPREHENSIVE PLAN, ELEMENT I

The Broward County Planning Council recertified a new comprehensive plan for the City of Margate in April 2021. This recertification occurred after the initial submittal of the plat note amendment application. At the time of the application submittal, the land use designation of the subject property was Transit Oriented Corridor (TOC). The current proposal is evaluated for consistency with the prior certified comprehensive plan.

ADVISORY NOTE: No corrections required.

COMMENT 2: The proposed use of 135,000 square feet of an industrial use is consistent with Policy 13.2 of the Comprehensive Plan of the City of Margate, and the City maintains sufficient square footage to accommodate this request. The site plan provided indicates that the building will be 131,680 square feet in area, yet this request is for 135,000 square feet. As this policy limits the amount of available industrial square footage, the City must be prudent in its allocations. Explain why an additional 3,320 square feet are needed above what is indicated on the site plan.

Policy 13.2 Within the TOC land use category, the following mix of uses shall be included within the designated land. Office, Industrial and Residential uses shall be the principal uses. In addition, the maximum intensity allowed within the TOC is as indicated below:

| | Existing Built | TOC Need | TOC Max. Intensity |
|--------------|-------------------|----------------|--------------------|
| Commercial: | 4,104,894 sq. ft. | 350,000 sq.ft. | 4,454,894 sq. ft. |
| Office | 521,159 sq. ft. | 850,000 sq.ft. | 1,371,159 sq. ft. |
| Industrial | 1,330,884 sq.ft. | 500,000 sq.ft. | 1,830,884 sq. ft. |
| Residential: | 1,716 d.u. | 3,000 d.u. | 3,565 d.u. |
| Hotel: | 55 rooms | 500 rooms | 555 rooms |
| Rec & Open | 35 acres | NA | NA |