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REGULAR MEETING OF THE DEVELOPMENT REVIEW COMMITTEE MINUTES

Tuesday, August 22, 2017
10:00 AM
City of Margate
Municipal Building

PRESENT:
Reddy Chitepu, Acting Director of Economic Development/Director of DEES
Andrew Pinney, Associate Planner
Andy Dietz, Associate Planner
Richard Nixon, Building Department
Kevin Wilson, Fire Inspector
Dan Topp, Community Development Inspector
Lt. Paul Fix, Police Department
Jeanine Athias, Engineer
Abidemi Ajayi (A.J.), Engineer
Abraham Stubbins, Utilities Inspector

ALSO PRESENT:
Bharat Shah, Shah, Drotos & Associates, P.A.
Matthew Morrall, Matthew E. Morrall, P.A.
Jeffrey Peal, Stiles Architectural Group
John Guerrero, JM Lexus

ABSENT:
Ronald Eyma, Assistant Director of DEES
Director of Public Works
Kim Vazquez, Project Manager, Margate Community Redevelopment Agency
Lt. Joe Galaska, Police Department

The regular meeting of the Margate Development Review Committee (DRC), having been properly noticed, was called to order by Reddy Chitepu at 10:00 AM on **Tuesday, August 22, 2017,** in the City Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, FL 33063.

1A) APPROVAL OF THE MINUTES FROM THE DEVELOPMENT REVIEW COMMITTEE MEETING ON JULY 11, 2017.

The minutes for the July 11, 2017 meeting were approved as written.

1B) APPROVAL OF THE MINUTES FROM THE DEVELOPMENT REVIEW COMMITTEE MEETING ON JULY 25, 2017.

The minutes from the July 25, 2017 meeting were approved as written.

2) **NEW BUSINESS**

ID 2017-494

2A) **DRC NO. 08-17-01** CONSIDERATION OF SITE PLAN APPROVAL FOR A PARKING GARAGE AND CAR WASH IMPROVEMENTS AT JM LEXUS
LOCATION: 5350 WEST SAMPLE ROAD
ZONING: B-2A REGIONAL BUSINESS DISTRICT
LEGAL DESCRIPTION: PARCELS "A", "B", AND "C" OF "WESTWOOD PLAZA", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 140, PAGE 31, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
PETITIONER: BHARAT SHAH, SHAH DROTOS & ASSOCIATES, P.A.

Matthew Morrall, 2850 North Andrews Avenue, attorney representing JM Lexus, showed the site plan on the Mondopad, and pointed out the locations of a proposed parking garage and a new covered car wash. He said they would be removing the body shop and noted that a site plan had previously gone before the Development Review Committee (DRC) for corrections to the property's entranceway. He said the existing three-story service center building would remain in place. Also, he said they would be moving and refurbishing a service building and adding parking for new cars on-site in the parking garage. He said the parking garage would be approximately 64-feet tall with a 70-foot column. He said they would be adding parking spots for new cars and for the associates. He said they met with their neighbors behind the property and they were happy because it would become easier for the sales people to identify the locations of the cars in the parking garage. He said they agreed to install a speed bump at the back entranceway to slow down cars existing from the back. He said the body shop would be moving off-site.

Reddy Chitepu asked for additional information about the meeting with their neighbors. Mr. Morrall said they met with the Michael Solomon, Property Manager, and Lori Press-Vidal, President of the Fiesta Homeowner's Association. Mr. Morrall said they had two requests: something to slow down traffic from the back; and, the addition of no parking signs on N.W. 34th Street. Mr. Chitepu asked whether the entrance/exit on the south side where they were planning to add the speed bump was active or was reserved for fire purposes. Mr. Morrall said occasionally they had associates exit that way.

DRC Comments:

Richard Nixon said the preliminary plans he saw showed a building substantially higher than 60 feet tall. He said regardless of the height, they would need a full set of plans and permit applications for the high rise buildings. Mr. Morrall said it was 70-feet at the top and it layered back to 60-plus feet near the residents. Mr. Nixon said it appeared there was possibly a stair well or another portion of the building that was 80-feet tall. Mr. Morrall responded that it was the elevator tower.

Kevin Wilson commented that the fire department connection that was shown on the plans would need to be within 50-feet of a fire hydrant, noting that he did not see a fire hydrant on their submittal.

Dan Topp referenced the Landscape Calculations Table on L-6 and made the following comments:
-asked that they show the percentage of natives and palm trees, noting that the requirement was 50 percent versus the 30 percent that was shown. Per Section 23-5 of the Code, he said it could not exceed 35 percent when substituting palm trees for shade trees,
-pointed out that the table for parking area interior landscaping showed it required 10 square feet; however, per Section 23-8, 20 square feet was required.

Mr. Topp said he visited the site and the existing dumpster enclosure did not have the required landscaping. He said the current Code required landscaping on three sides. He provided a copy of the Code.

Andrew Pinney said the City was glad to see JM Lexus continue to invest in Margate. He said Margate was proud that the Margate dealership had one of the highest volumes in the country. Mr. Pinney explained that the dealership was located in a B-2A Regional zoning district and that district was stricken from the Code in 1997 as a means to prevent future properties from rezoning to that zoning designation. He said all the regulations of the district could be found under Ordinance 1500.450. He said the B-2A zoning had very conservative height limitations. He referenced the previous Code section 11½.5 provided that no building or structure or portion thereof shall be erected or altered to a height exceeding the following: 1) retail stores 30 feet; 2) office building 60 feet; 3) all other permitted uses were 25 feet. The proposed parking garage with its highest point at 85.5 feet was significantly higher than the 25 foot height limitation of the district.

Mr. Pinney said he researched the history of the property and there had been a number of variances, including BA-7-2003 which was a variance that allowed for the current building at a height of 68 feet. He said a variance would need to be granted in order to build what was presented that day. With regards to the new car wash, he asked that they add dimensions for vehicle stacking. He said four stacking spaces were required, each 10 feet wide by 20 feet deep; he said 80 feet would be needed starting from the point where the keys were handed over, which he pointed out on the site plan.

Mr. Pinney commented on the customer entrance off of N.W. 54th Avenue, noting that there were two car wash lanes on the south side that appeared to go nowhere.

Jeffrey Peal, Stiles Architectural Group, 301 East Las Olas Boulevard, advised that the two lanes were so regular customers could go directly to the car wash without having to stop and check-in at the service area first. Mr. Pinney said it appeared there were two lanes of traffic that flared out to four for the car wash and then went back down to two lanes. Mr. Peal pointed out the traffic flow on the site plan.

John Guerrero, Vice President of Operations, JM Lexus, 5350 West Sample Road, said that the ideal situation would be that over time their customers would know they could travel straight through to the car wash without having to stop and check-in at the entranceway. He said initially they would provide a directional flow for those customers to help them get accustomed. Mr. Pinney responded that the same result might be accomplished with directional signage without having to change lanes from two to four and back to two. Mr. Guerrero said they would take a look at it.

Mr. Pinney referenced the handicapped parking details on sheet A-1.2, and advised that the Zoning Code required the fine amount to be displayed in numbers that were at least two-inches high. Also, he said he could not see where the detail for the security gate appeared on the site plan. Mr. Peal pointed out the location of the existing security gates which he said would be upgraded using new material.

Mr. Pinney commented that the plan showed an eight-foot-high C.M.U. wall on the south side of the proposed car wash which he said he assumed was for noise buffering. He advised that the Zoning Code limited the maximum height of a fence or wall to seven feet. He also advised that the minimum interior landscaping dimension was seven feet for the landscape area along the C.M.U. wall which was being shown as six feet wide.

Mr. Pinney advised that photometric details for each level of the garage was needed. He provided a copy of the Code from Section 33.2 Table 3 which gave the minimum lighting standards.

Mr. Pinney referenced the new parking area at the location of the former body shop and advised that wheel stops were not required when there were curbed landscaped medians. He said they had the option to remove them. He said another possibility was to shrink the paved areas on the parking spots. He said when the parking space abutted a curbed landscape area, a two-foot vehicle overhang was allowed, so the stall depth could be reduced from 18-feet of pavement to 16-feet of pavement.

Mr. Pinney commented that he was not able to see the depth on two loading zones near the entrance on N.W. 54th; he advised that the required depth must be at least 45-feet and asked that they add that dimension to the plans. He also noted that four were required.

Mr. Pinney referenced sheet LP-6, and asked that they add notes for each section on the Landscaping Calculations table for the maximum sod. He said interior landscaping allowed a maximum of 30 percent sodded areas. Also, he said when Code required a shade tree, it would be a Category one or equivalent, adding that tree species by category could be found in Section 23.23 of the Landscaping Code.

Abidemi Ajayi said that water, sewer, police and fire impact fees would apply. He said the 8x8 size-on-size tap shown on the utilities sheet was not allowed; it needed to be a "T" or revised. He said Broward County approval would be needed for the drainage. Also, he said a tree removal permit would be needed. He commented on a water main that ran underneath the site where two canopies were proposed and said that it would need to be revised as it would be very difficult to access the water line if something were to happen. He pointed out the locations on the plan. He advised that a permit from the Health Department would also be required.

Abraham Stubbins asked the reason to have a four-inch water line at the southwest corner of the garage. Mr. Peal responded that they were not aware of what was being placed in the garage at the time the engineering plans were being done, but it would be adjusted once they had the specifics. He said the reconditioning area on the first floor of the garage would need water but a one-inch or one-and-one-half-inch line would likely be sufficient. Mr. Stubbins commented that a four-inch line was also shown going into the car wash. Mr. Peal said it would be sized based on the equipment they selected once that information became available.

Lt. Paul Fix had no comment.

Mr. Nixon asked if the car wash would be open to the general public or if it was specifically for JM Lexus customers. Mr. Peal responded that it was for JM Lexus customers only.

Mr. Chitepu asked, for the record, whether it had been verified that there were not any restrictions on the plat. Mr. Pinney responded that a plat note amendment had been filed in 2006 and the numbers shown on sheet A-1.1 were accurate. He said the total building area by plat was 195,700 square foot and the total storage area for the parking garage was 343,000 square foot which were the current plat limitations. He said what was being proposed was within the plat limitations.

Mr. Chitepu said information regarding water usage would be needed from the vendor in order to calculate water and sewer impact fees, if the car wash was a recycled system. Also, he said a proper estimate could be provided once the water meters were sized properly. He also stated that meters over two inches needed to be installed above ground and required bypass.

Mr. Chitepu advised that they were required to submit three site plans for sign-off that addressed all the comments given that day, including the meter sizes. Mr. Chitepu said the item would require a variance from the Board of Adjustment for the height of the garage. He asked if the proposed C.M.U. wall was a sound wall. Mr. Peal responded that it was a sound and spring wall. Mr. Chitepu asked if there was a reason it was shown as eight feet instead of seven feet. Mr. Peal said it matched up with some of their reveal lines, but he said they would be okay with seven feet. Mr. Chitepu said they could include it in the variance package if they wanted an eight foot wall. He said the application was approved by the DRC committee, but it was subject to the approval by the Board of Adjustment for the garage height.

ID 2017-503

2B) **DRC NO. 08-17-02** CONSIDERATION OF A SPECIAL EXCEPTION USE FOR SITE MODIFICATIONS AT A VEHICLE DEALERSHIP
LOCATION: 5350 WEST SAMPLE ROAD
ZONING: B-2A REGIONAL BUSINESS DISTICT
LEGAL DESCRIPTION: PARCELS A, B, AND C, "WESTWOOD PLAZA", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 140, PAGE 31, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
PETITIONER: BHARAT SHAH, P.E., SHAH, DROTOS & ASSOCIATES

Reddy Chitepu advised that this was the same applicant and location as the previous item, but it was for a special exception use.

DRC Comments:

Richard Nixon had no comment.

Kevin Wilson had no comment.

Dan Topp had no comment.

Andrew Pinney advised that the property was in the B-2A zoning district. Within B-2A, he said Sales Agency for new automobiles was identified as a special exception use. He said anytime there was a modification such as this where the use was becoming more intense on the property, the City Commission had to review and approve the proposed intensity.

In reference to the discussion about Fiesta townhomes in the previous item, Mr. Pinney asked if there was anything in writing such as a memorandum of understanding or an email following that meeting. Mr. Morrall said there was nothing in writing but he would be able to get something as Michael Solomon [property manager] had committed to such. Mr. Pinney said it would be helpful to obtain it to show the City Commission that they had the endorsement of their neighbors.

Abidemi Ajayi had no comment.

Abraham Stubbins had no comment.

Lt. Paul Fix had no comment.

Mr. Pinney explained that due to the date of their application, they fell under the current special exception procedures which included a review by the DRC and submission to the City Commission. He said there was a new special exception procedure that was in process and could be adopted by the City Commission on Wednesday [August 23, 2017]. It would change the process to include a review by the Planning and Zoning Board. Since their application was submitted before the effective date of the new process, this application was approved to proceed. He said they needed to go before the Board of Adjustment for the height variance, and then it would go before the City Commission for approval of the project.

Mr. Chitepu said the item was approved to move forward to the City Commission, subject to the comments herein.

ID 2017-515

2C) **DRC NO. 08-17-03** CONSIDERATION OF AN ORDINANCE TO AMEND SINGLE FAMILY HOME FENCE REGULATIONS ON SYMMETRICAL CORNER LOTS

Andy Dietz led with a PowerPoint presentation. He advised that the ordinance would fix an anomaly with the Zoning Code for fence placement with single family homes. He explained that currently symmetrical corner lots had different fencing requirements than asymmetrical corner lots based upon the definitions that applied for the front lot line. He said it resulted in the front fenceable area being reduced compared to asymmetrical corner lots which was what needed to be corrected. He said there were a number of fence permit applications on these corner properties that were denied in the past, but there was not a solid justification for the denial other than that definitions in the Code prevented it.

Mr. Dietz stated that the following verbiage was proposed to modify Section 3.14(14)(A): "For corner lots defined per Section 2.2 as having two front yards, the front yard abutting the rear yard shall be treated as a street side yard for the purposes of erecting a fence." He advised the ordinance was only addressing fences and was not enabling anything else in that space of the yard. He provided the definitions for front plot lines from Section 2.2 for reference. He explained that on a corner plot, the shorter of the two front plot lines were considered to be

the front plot line and if they were both within five feet of each other, they were both considered front plot lines. He showed an illustration that depicted how the existing definition applied to a symmetrical corner lot as well as the effect of the proposed revision.

DRC Comments:

Richard Nixon had no comment.

Kevin Wilson had no comment.

Dan Topp commented that it was a great idea based on his experience with reviewing fences.

Andrew Pinney thanked Mr. Dietz for his explanation and the helpful graphics.

Abidemi Ajayi had no comment.

Abraham Stubbins had no comment.

Lt. Paul Fix had no comment.

Mr. Chitepu said the item was approved to move forward to Planning and Zoning and then on to the City Commission.

3) **GENERAL DISCUSSION**

There was no discussion.

There being no further business, the meeting adjourned at 10:35 AM.

Respectfully submitted,

Reddy Chitepu
Acting Director, Economic Development Department
Director, DEES

Prepared by: Rita Rodi

Date: 10/18/17