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## REGULAR MEETING OF THE DEVELOPMENT REVIEW COMMITTEE MINUTES

**Tuesday, January 22, 2019**

**10:00 AM**

City of Margate  
Municipal Building

#### PRESENT:

Robert Massarelli, Director of Development Services  
Alexia Howald, Associate Planner  
Richard Nixon, Director, Building Department  
Lt. Ashley McCarthy, Police Department  
Kevin Wilson, Fire Inspector  
Dan Topp, Community Development Inspector  
Alberto Torres-Soto, Senior Engineer, DEES  
Mark Collins, Public Works Director

#### ABSENT:

Diana Scarpetta, CRA Project Specialist  
Andrew Pinney, Senior Planner

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 Robert Massarelli at 10:00 AM on Tuesday, January 22, 2019, in the City Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, FL 33063.

#### 1) NEW BUSINESS

*ID 2018-605*

##### 1A) **DRC NO. 01-19-03** CONSIDERATION OF A **SITE PLAN** FOR A NEW MEDICAL BUILDING

**LOCATION:** 3251 AND 3215 NORTH STATE ROAD 7

**ZONING:** TOC-G

**LEGAL DESCRIPTION:** A PARCEL OF LAND IN "MARGATE PLAZA NO.1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 132, PAGE 50 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

**PETITIONER:** TOM ADAMS, MANAGER OF KTJZ PARTNERS III, LLC  
AGENT FOR BMSB PROPERTY MANAGEMENT GROUP, LLC

Anthony Brunetti, Project Manager, Florida Medical Space introduced himself and gave a brief history of the company as well as the medical office. He stated that this new office will serve as the flagship location

#### Development Services Department

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for the South Florida region, with patients coming all the way from Port Saint Lucie as well as from Coral Gables. He said that this location has over seventy-five employees and will average about nineteen-thousand patients per year. Mr. Brunetti said that the property is made up of three parcels and the land area is 2.31 acres and has two property owners. He said that they will be building a two-story, 32,000 square-foot building with ample parking per code; the building will be designed with a temporary and modern fashion with very simple and clean design features. He stated that this location is a gateway location into the City of Margate and they are designing the building with that in mind. Mr. Brunetti highlighted some additional features that they will be adding to the site which include the following: repurposing the access drive which connects to 441 with new landscaping in that area, creating a small green space to include park benches on the south of the building, and a covered drop-off and covered parking on north end of building.

### **DRC Comments:**

Robert Massarelli, complimented the project saying that Margate is very excited about this. He said that it will be a major gateway feature in the City and said that the site utilization is very positive, and it creates a mixed-use for Penn Dutch Plaza. Mr. Massarelli then made the following comments:

- The name "New Springs Health Pavilion" implies that the location is related to the City of Coral Springs and recommends renaming the project.
- Show on the site plan the northern end of the parcel which has a driveway access connecting to the property for a continuous drive.
- Suggests flipping building where the front will be on the street edge and parking will be along the west side of the building. This will promote a gateway feature and will tie the east parking lot to the rest of the plaza, this will also connect parking to the north.
- Move generator to north side along with all other back of house features.
- Two benches within the park area will need to be moved in so that they are not on the roadway.
- Featured drawing elevation is not labeled.

Tom Adams with KTJZ Partners stated that they are looking to connect to the street that is adjacent to the property. He said that he has city approval (no permits) from the City of Coral Springs which controls that roadway. Mr. Adams also commented on the suggestion to shift the building saying that it will be very important to future tenants to have easy access with parking out front as well as visibility to signage. He said that when the building is shifted it will not be as valuable to the tenants they are trying to attract. He then explained that the building name "New Spring" reflects the business that is going in at that location, however they will be open to renaming it.

Mr. Massarelli continued with his comments referring to the paving and drainage sheet asking how the sump on the pollution and retardant baffle will be maintained? M. Rhon Ernest-Jones, Ernest-Jones Group, responded that the top will be elevated to grade elevation and there will be a steel grate on top, making it fully open. Mr. Massarelli said that his concern is that the sump on the bottom will get clogged and then there will be standing water, which will become a breeding ground for mosquitos; he said that is important for the sump to be maintained. Mr. Ernest-Jones said that they have provided for an extra foot and that it will have to be maintained.

Mr. Massarelli commented on the civil engineering drawings, referencing the structure shown along the west property line to the south of the loading zone, he said that the rim elevation is above the surrounding areas which will cause standing water. He asked how the standing

water will be prevented. Mr. Ernest-Jones explained that all of the catch basins within the parking lot are intended to receive water and the control structure is elevated to be at the same elevation as the ground, so there is no intent of water to enter through the top.

Mr. Massarelli stated that on the architectural drawing the proposed east elevation will require more articulation and the west elevation is not acceptable at all. Mr. Brunetti responded that since plan submittal they have been working on a color rendering, in which he proceeded to show the board. Mr. Massarelli said that on the west elevation they will need articulation, saying that on the submittal it shows a design feature "A" and "B" to be determined by the owner. He asked if that rendering is what has been determined and is that what the board will be approving? Mr. Brunetti answered "yes", saying that this is the design at the current stage and this is what they foresee it to be. Mr. Massarelli stated that a better job needs to be done on the façade. He then asked how many tenants will be in the building? Mr. Brunetti responded five (5). Mr. Massarelli stated that based on the size of the monument sign it does not meet the code and will have to be revised. He then shared his comments on the landscape plan stating that it appears that the trees are being placed in the right-of-way on 441 and that the plan does not reflect the existing trees or plants. Ms. Jill Cohen, landscape architect responded saying that they wanted to preserve what they could but none of them were of value except a small oak. Mr. Massarelli stated that the height of the plants need to be listed on the chart for the plant schedule, stating that all shrubs need to be at least twenty-four inches, and will also need to show size of trees. He requested a re-evaluation of the plant schedule around the monument sign, stating there is a twelve-inch limitation. He then said that the southernmost parcel will need to be brought up to the same standard as the rest of the site, clarifying that the same theme will need to carry through on the entire site. Mr. Massarelli stated that the little park area connects very well to the building, however the pedestrian pathway to the south shows the crossings between two cars. He said that the pedestrian access doesn't create a continuous walkway in the area. Mr. Rhon Ernest-Jones stated that this is a staff parking area and it does not seem to be a particular problem, saying that he would speak with his client to discuss losing a couple of parking spaces. Mr. Massarelli said with the excess parking it may only be three spaces that may be lost in that area, stressing that he would like to see that pathway continue through the area. He explained that this will create a pedestrian friendly area, which directs them to a safe path. Mr. Massarelli then referenced the survey of the property, stating that there is a series of title encumbrances and there is no information on what they are, for example there is a cross access agreement along the existing plat, but it is not clear. He said that the cross access in addition to the utilities will need to be clearly shown on the survey.

Alexia Howald, had the following comments:

- For the interlocking parking (Section 33.2) provide landscaping on the south parcel.
- Provide dimensions for the existing parking spaces.
- Handicap sign requires a twenty-two (22) inch minimum for the fine amount, and will need to be indicated on the plans.
- LP2 indicates space versus size, will need to verify the label spacing.

Ms. Howald asked in regards to the generator, is it fueled/stored and how many gallons? Mr. Brunetti responded that he will get the information on the exact gallons and stated that it is fuel. She then asked what the hours of operation will be? Mr. Brunetti responded that the hours during the week will be 8:00 am until 5:00 pm, however it will be subject to change based on future tenants. Ms. Howald stated that the photometric is based on hours of operation and depending on the hours will determine either a Level 1 or Level 2.

She continued with the following comments:

- Address the low levels of lighting that are shown on the west and south side.

- Verify that the light poles are spaced at least ten (10) feet away from the edge of the tree canopies.
- Provide a fixture detail.
- Existing sign for Penn Dutch will now be considered an off-premises sign once the property is sub-divided.

Mr. Rhon Ernest-Jones had a question in regards to landscaping being needed on the south side, asking for clarification. Ms. Howald responded by reading Section 33.2 (B)(3). Mr. Ernest-Jones said that he addressed this with staff saying that this is part of an existing parking array and the seven-foot island according to the code would cause them to lose nine parking spaces. He said that given that it is a part of well landscape existing integrated parking lot, he feels that this should be left in its current condition, stating that it drains well into the catch basins. Ms. Howald asked if they will utilize wheel stops? Mr. Ernst-Jones replied that there are existing wheel stops. Mr. Massarelli stated that he will discuss this issue further with staff. He said that the problem he is running into is the concept of re-development, explaining that the City will essentially be 100% re-development in the future, and these will be the issues that will need to be dealt with.

Richard Nixon, commented on the emergency generator. He said that based on the size of the fuel tank proximity to the parking spots, it will require the following: slab will need to meet flood elevation, bollards, and a fence screen enclosure around the generator.

Kevin Wilson, stated that he sees the six-inch fire main but does not see the FDC location on the plan. He clarified that there was a detail of it but it was not on the plan, saying that this will need to be shown on the plan. He then commented that the closest fire hydrant is about one-hundred and forty feet (140) away and it is required to be within fifty (50) feet. Mr. Wilson said that bollards for the generator are required, as well as fire lane striping in front of the building with fire lane signage every seventy-five (75) feet. He stated that the fire alarm panel will have to be in the lobby and a Knox Box is required at the front of the building.

Dan Topp, had the following comments:

- Continuous hedge required per 23-6(B) of the Margate Code of Ordinances. There are several gaps and omissions.
- General groundcover height issue throughout. Some choices will be difficult to maintain ground cover height.
- Planting proposed near monument sign would quickly obscure sign. Also, there is a gap in hedge there.
- Compliance chart for hedges and groundcovers seems to have shortage.
- Per 23-8(A) show compliance with 20 sq. ft. of interior landscaping per parking space.
- Japanese blueberry and Cattley Guava are not on approved list of trees and appear to be Category 2 trees for purposes of tree canopy requirements.
- An Urban Greenway is required along N. State Road 7. See 23-6(B) for requirements.
- Per 23-20 species replacement is required to be a specific number of tree species depending on number of trees removed.

Mark Collins, commented on the existing drainage system, asking if it has been inspected to see if it needs to be upgraded, replaced, or cleaned. Mr. Ernest-Jones responded that they did take a look at that, explaining that the existing drainage on the Penn-Dutch Plaza is part of an overall water management permit which is subject to the five-year renewal inspection. Mr. Collins commented on the planting of the oak trees, stating that they tend to grow and then



take over the curbing, sidewalk, and asphalt. He urged them to consider another species of tree.

Alberto Torres, stated that he had concerns in regards to the easements on the survey, he recommended to contact the Engineering Department to request records of the water and sewer. He said that there is a force main between Dr. Glick's and this property. He then continued with the following comments:

- Exfiltration trench water table (WT) on the plans show 7.25-ft. based on the calculations the Water table should be 8-ft. The calculations and the plans shall match
- Surface water management license process may be similar to Dr. Glick's office located north of the property. The consultant shall contact the County's Surface Water Management License Division to address the existing Surface Water Master Plan requirement
- Impact fees will apply for this property
- Water and sewer service line not to be used by the development shall be abandoned and capped to the main. Any easement associated with the service lines in question shall be abandoned.
- Traffic control for street termination (reflectors) shall be added at the end of the access road (curbing area west from the existing bollards to be removed per the plans).
- Proposed trees are on top or close to the force main line close to the north property limit. Contact Sunshine (811) for utility location or the developer could request the information to the City.
- Trees on FDOT right of way shall be approved by that agency.
- Tree replacement shall be by the canopy, not the caliber.
- Coordinate with the County for the Environmental permitting required for this project.

Ashley McCarthy, commented that she does not have any public safety concerns at this time.

Mr. Howald stated that the direction from Mr. Massarelli is to make the corrections requested and schedule a future DRC Meeting with the revisions.

*ID 2018-724*

- 1B) **DRC NO. 01-19-07 CONSIDERATION OF A SUBDIVISION RESURVEY FOR A NEW MEDICAL BUILDING**  
**LOCATION:** 3251 AND 3215 NORTH STATE ROAD 7  
**ZONING:** TOC-G  
**LEGAL DESCRIPTION:** A PARCEL OF LAND IN "MARGATE PLAZA NO.1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 132, PAGE 50 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA  
**PETITIONER:** TOM ADAMS, MANAGER OF KTJZ PARTNERS III, LLC  
AGENT FOR BMSB PROPERTY MANAGEMENT GROUP, LLC

Ms. Howald made the following comment on behalf of Robert Massarelli:

- Call out the cross access on the drainage easements
- Require a Unity of title for all three parcels

Mr. Rhon Ernest-Jones stated that at this point it is not possible to file the Unity of title until Tom Adams and Company has title to both properties.

**DRC Comments:**

Richard Nixon, had no comment

Kevin Wilson, had no comment

Dan Topp, had no comment

Mark Collins, had no comment

Alberto Torres,

- All the easements will need to be in place. The ingress/egress easement will need to be addressed and noted on the plan, to include all other applicable easements.
- Sign and seal the second page of the survey with the subdivision information.

Mr. Torres then asked if there will be drainage maintenance, due to the fact that the subdivision is grabbing a portion of the surface water license from Penn Dutch Plaza. Mr. Rhon Ernest-Jones responded saying that they are not touching Penn Dutch land, they will be re-grading the surface. He explained that they plan on doing the same for this as they did Dr. Glick's, which was accounted and allowed for in the original surface water permit. Mr. Torres asked how will the surface water license work now that the portion is part of Penn Dutch and not part of this project? Mr. Rhon Ernest-Jones answered that they were relying on pre-existing cross-access, cross-drainage easements to make it one integrated whole, which is being developed in accordance with what was contemplated in the original surface water permit. Mr. Torres asked how the maintenance will work as well as renewing in the future? Mr. Rhon Ernest-Jones responded that it will be a modification to the license and will have to figure out with Penn Dutch what the shared responsibilities are. Mr. Torres said that this will need to be in an agreement or to include that portion on the license, he asked to include this information on the plans. Mr. Adams commented in regards to the easements, asking if they can limit the work that needs to be done to plot all of those on the plans to only the ones that impact the plan. Mr. Torres stated that he does not have any objection to that.

Ashley McCarthy, had no comment

Alexia Howald, stated that revisions will need to be submitted based on the comments. Mr. Adams asked the timeframe for minutes? Ms. Howald responded that each individual department will forward a copy of their notes from this meeting. Mr. Torres informed the petitioner that a request for audio can be submitted.

*ID 2018-720*

- 1C) **DRC NO. 01-19-02** CONSIDERATION OF A **SITE PLAN** FOR  
CONSTRUCTION OF A NEW FREESTANDING WALK-UP ATM MACHINE  
**LOCATION:** 5327 WEST ATLANTIC BOULEVARD  
**ZONING:** TOC-G

**LEGAL DESCRIPTION:** A PORTION OF "MARGATE REALTY NO.1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 42, AT PAGE 42, TOGETHER WITH PORTION OF TRACT "A", "LAKEWOOD COMMERCIAL", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 120, AT PAGE 27, BOTH OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

**PETITIONER:** ERICH PETERS, INFINITY ENGINEERING GROUP, LLC, AGENT FOR SUNTRUST BANK

Mr. Erich Peters gave a brief description of the construction of a walk-up ATM, explaining that currently there is no SunTrust (Bank) in that area. He stated that the location will take up three (3) parking spaces of an already large parking area.

**DRC Comments:**

Alexia Howald, commented on the proposed parking spaces, asking Mr. Peters where that location is within the parking lot. Mr. Peters responded that it is by West Atlantic Blvd. Ms. Howald clarified that it is between Pollo Tropical and McDonalds. She then asked what the reason is for removing the three (3) parking spaces when the plaza has the big arcade frontage where the ATM can be located within the existing plaza? Mr. Peters responded that the proposed location is away from everything else making it more available to the people. Ms. Howald referred to the photometric plan mentioning Florida Statute which requires a minimum of ten (10) foot candles at an ATM, however the plan provided 86 (eighty-six) foot candles, which will create glare and nighttime visibility problems, she asked if this was a typo? Mr. Peters responded that this can be fixed on the plan. Ms. Howald commented that there is too much signage per Section 39.8E of the Sign Code. She then asked if new landscaping will be provided? Mr. Peters answered that he did not see landscaping on the plan, he asked if landscaping is required. Ms. Howald answered that interior landscaping is required.

Richard Nixon, commented on the handicap accessibility, stating that there isn't any notated on the plans. He stated that there would need to be handicap accessible parking, crosswalk, and the ATM machine is to be handicap accessible.

Kevin Wilson, has no objection.

Dan Topp, commented on the hedge which will need to be continuous. Currently the plan shows a continuous hedge which does not continue to the west of the proposed location.

Mark Collins, had no comment.

Alberto Torres, commented that an FDOT permit will need to be obtained, he said that portion of West Atlantic is a part of the FDOT right-of-way. He stated that a tree removal permit will need to be applied for to relocate.

Mark Collins, asked where the source of electricity will be taken from. Mr. Peters responded that it is from the power poles.

Mr. Alberto Torres, continued his comments stating that an erosion control sedimentation plan is required.

Ashley McCarthy, commented that she had some concerns with a walk-up ATM at this particular location. She stated that if the location was at the façade of the building there would be more

safety aspects. The location directly off of Atlantic Boulevard will have pedestrian traffic up and down the sidewalk, there is also the potential for pedestrian involved traffic crashes in the parking lot, and an increase in crime based on the location.

Robert Massarelli, asked the purpose of the ATM and the reason for the location. Mr. Peters responded that by building it in the parking lot it would be accessible to all customers. Mr. Massarelli stated that this is a modification to the existing site plan, requesting a copy of the entire site plan to see what else would need to be updated and brought up to code. He mentioned the handicap accessibility stating that the ramp will be in the drive aisle, which is not acceptable. He said that a completely different layout will need to be provided for safe access. Mr. Massarelli stated that there is no defined pedestrian access through the parking lot and there will need to be safe pedestrian access shown on the site plan. He stated that more landscaping will need to be provided on the landscape plan.

Mr. Massarelli stated that a summary of the comments will be provided and once a response has been made the project can be scheduled for a future DRC meeting.

*ID 2018-721*

- 1D) **DRC NO. 01-19-06** CONSIDERATION OF A **SITE PLAN AMENDMENT**  
FOR A NEW PARKING LOT OF 230 SPACES FOR AN EXISTING BUILDING  
**LOCATION:** 777 SOUTH STATE ROAD 7  
**ZONING:** TOC-G  
**LEGAL DESCRIPTION:** A PORTION OF PARCEL "A", "441 SOUTH",  
ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 124,  
PAGE 41, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA  
**PETITIONER:** LOU CAMPANILE, P.E. MCLAUGHLIN ENGINEERING  
COMPANY AGENT FOR MICHAEL SHOOSTER

Lou Campanile introduced himself and gave a brief explanation of the project. He said that they are adding a parking lot in the rear of the "767" building.

#### **DRC Comments:**

Robert Massarelli, asked the petitioner to explain how multiple surveys of this property show different layouts of each parcel; as well as how each of the parcels fit on the property along with their dimensions. Mr. Campanile reviewed the survey pointing out the locations of the 767 Building and the parking around it. Mr. Massarelli stated that when he looks at the site plan compared to the survey he calculates different distances, asking for clarification on the distance from Parcel B. Mr. Campanile located the information on the survey, giving clarification on the distance. Mr. Massarelli continued with his comments stating that Broward County's Comprehensive Plan identifies the area where the parking lot is going as conservation, asking if there has been correspondence from the County. Mr. Campanile responded "yes" and that they are in negotiations with them as far as the drainage is concerned. Mr. Massarelli said that the County's designation on the area is conservation, asking if they are allowing a parking lot to be put in a conservation area? Michael Shooster, property owner, introduced himself and answered stating that the land to the west of his property is conservation property, not the parking area. Mr. Massarelli stated that the County's website includes this area as conservation, saying that the park and the dedicated area is adjacent, however the information online from the County shows where the parking lot is as conservation land. He said that Margate has to be consistent with the County's Comprehensive Plan, asking for clarification from the County saying that this is an allowable use in that area.



Alberto Torres, explained that the map from Broward County's GIS system is the "Protected National Land Map" clarifying that the property is marked as wetland. He requested that information from the County be provided to staff prior to moving forward with the parking area.

Mr. Massarelli, continued with his comments discussing the landscape plan, referencing the notation of one-hundred and ninety (190) new trees, asking what that represents? Mr. Abdias Dalisma, ISA Certified Arborist, introduced himself to the board and addressed the question responding that the one-hundred and ninety (190) new trees will be added to the overall landscape of the property. Mr. Massarelli asked if this was in mitigation to the removal of trees. Mr. Dalisma responded "yes". Mr. Massarelli asked how many are mitigation and how many are new trees? Mr. Dalisma answered the removals are approximately one-hundred and twenty-five (125) trees from the area to the west of the property; he stated that towards the canopy mitigation they are putting back approximately forty (40) trees. Mr. Massarelli notated that there are no trees being planted at one retention area, but at another retention area there will be cypress trees planted. Mr. Dalisma responded that they were identifying areas that needed upgrades to the landscaping. Mr. Massarelli requested a sketch of an overall future vision of the plan. He then suggested meeting with staff to discuss the area, explaining that the City is in the process of updating the Comprehensive Plan. He went on to say that a wall is required along the portion of SW 7<sup>th</sup> Court, however there is a utility easement which shows a pipe in that location. Mr. Massarelli asked how they will address the requirement of a wall. Mr. Dalisma responded that on the landscape plan there is a buffer of smaller trees, he said that they could also include a landscape hedge. Mr. Massarelli stated that code requires a wall and it will require a variance for the use of a hedge; he requested that an alternative to the wall be submitted, clarifying that a variance will have to go in front of the Board of Adjustment. He then mentioned that code requires shrubs be a minimum of twenty-four (24) inches in height, asking to make this notation on the plan.

Alexia Howald, commented that the dumpsters located on the property are not landscaped according to code, and are outside the wall enclosure. She stated that per code dumpsters are required to be inside the enclosure and properly landscaped. She also mentioned missing hedges along the entrance on 441. Ms. Howald asked if the fence along the west side of the property will be maintained, stating that there is currently overgrowth along the fence and 7<sup>th</sup> Court. Mr. Dalisma stated that they will address this issue.

Richard Nixon, had no comment.

Kevin Wilson, stated that the project meets the Fire Department's turning radius and has a hydrant located at the southwest corner of the building, with an adequate water supply. He then commented that Fire approves this project.

Dan Topp, had the following comments:

1. Continuous hedge is required per 23-6(B) of the Margate Code of Ordinances. There are several gaps and omissions.
2. Sod shown on proposed parking lot may not exceed 30% of interior landscaping per 23-8(B).
3. Canopy replacement chart isn't summarized, there are empty boxes, and no indication is given on a tree disposition plan or compliance chart concerning replacement requirements.
4. Show compliance with 20 sq. ft. of interior landscaping per parking space per 23-8(A).
5. A 15-foot-wide residential buffer zone is required per 23-11(C)(2).

Mark Collins, asked why the retention areas are not tied into the lake? Mr. Campanile stated that they will be, explaining that they are in negotiations with the County. Mr. Collins requested the paperwork from the County once negotiations have been completed.

Alberto Torres, had the following comments:

- Proposed location of parking is in a wetland area, referring to the Broward County Protected National Land Map GIS section.
- The water table information is based on the Broward County map and the site will be controlled by the C-14 Canal. Need to verify the elevation of the area for the C-14 Canal to calculate the exfiltration trench.
- Comment for the Surface Water License with Broward County in regards to developing the stage discharge curve for the volume, the size will have to behave the same and be inter-connected.
- Recommends contacting GIS for the easements.
- Utility work will need to be completed prior to this project moving forward.

Ashley McCarthy, had no public safety concerns and the project is approved per the Police Department.

Robert Massarelli, requested that the additional information from the County be addressed, in addition to the landscaping detail and the possibility of a wall. He has no objections to the plans and recommends further details as required.

*ID 2018-722*

- 1E) **DRC NO. 01-19-04 CONSIDERATION OF A SITE PLAN AMENDMENT FOR AN EXISTING DUNKIN DONUTS RESTAURANT**  
**LOCATION:** 7300 ROYAL PALM BOULEVARD  
**ZONING:** B-1  
**LEGAL DESCRIPTION:** LOTS 5 THOROUGH 10, BLOCK O, "GATEWAY MILE", AS RECORDED IN PLAT BOOK 63, PAGE 15, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA  
**PETITIONER:** STEVEN WHERRY, ESQ, AGENT FOR ROYAL PALM PLAZA INVESTMENT, LLC

Mr. Steven Wherry, agent for Royal Palm Plaza Investment, introduced himself and gave a brief presentation along with the history of this ongoing project.

#### **DRC Comments:**

Robert Massarelli, began his comments by saying that he would like to focus on the architectural, with one of his concerns being the way the drive-thru functions. He explained that the traffic flow will be better if the cars could drive in straight, instead of pulling in to enter and then pulling out away from the building to exit the drive-thru location. He said that the visibility triangle would also be cleaner. Mr. Wherry asked for clarification questioning if the recommendation would be to bring the building out? Mr. Massarelli said yes, to bring the building out. Mr. Wherry is unsure if that is in the scope of what is feasible for his client, who is a tenant at the location. Mr. Massarelli mentioned having a window that sticks out, which will reduce the amount of serpentine movement in that area.

Richard Nixon, commented that he is unsure if the sidewalk on that side of the building is required, therefore it could eliminate having to go back in towards the building. Mr. Mike Ventura, Architect, responded stating that there is an existing fire sprinkler riser, which is the main reason why the design. Mr. Nixon stated that one of his comments is to protect the fire department connection, he then mentioned that the gates for the dumpsters look as though they will be swinging out towards the vehicles in line. He also stated that the drive-thru could create issues for the existing businesses when receiving deliveries in the back. Mr. Wherry responded that they have planned for that by removing a portion of the curb to widen the area and create bypass possibilities.

Kevin Wilson, stated that the existing fire sprinkler riser on the east end of the building will need to be protected from vehicular traffic.

Dan Topp, had the following comments:

- Category 2 trees are replacing 1 large royal Poinciana, 6 sable palms, 1 green buttonwood at new location for drive-thru. Please provide a canopy replacement chart. Please see Article II Preservation and Protection of Trees in the Margate Code of Ordinances.
- Per 23-6(B)(3) of the Margate Code of Ordinances spacing for category 2 trees may not exceed 18 ft. on north property line.
- Provide a compliance chart showing compliance with City Code for trees, shrubs and groundcovers.
- Provide a photometric plan.

Mark Collins, had no comment.

Alberto Torres, had the following comments:

- Sidewalk is not depicted correctly on plans.
- Proposed curbing will need to be addressed to show drainage, currently the curbing is recessing in front of the catch basin which will overflow in a heavy rainstorm. He recommends a swale be created so the water can pitch to the pond area, which is based on the surface water license.
- Provide a grading plan.
- Broward County Surface Water License required.
- Tree removal permit required

Mr. Torres asked for clarification on parking in the loading area. Mr. Wherry responded that the loading/unloading location is not changing, and that it will not be striped for parking. Mr. Torres asked if it would be removed to either extend the curb or to add more green space? Mr. Wherry responded that it is currently wide enough to accommodate bypass traffic. Discussion ensued.

Ashley McCarthy, had no comment.

Robert Massarelli, commented on the loading zoning, asking where on the existing site plan is the loading zone identified? Mr. Wherry responded that he is only looking at half of the site plan, clarifying that the shopping center is owned by two separate parties which was built separately. He stated that some of the loading may be accommodated on the half of the site that they do not see. Mr. Massarelli stated that staff will need to see the approved site plan showing the designated loading zone. He said that a detailed dumpster enclosure will need to

be submitted, as well as the schedule of times that the dumpster will be emptied. He then commented on the order board, saying that there could be a potential noise issue that may come from the speaker, as well as traffic noise from that area. Mr. Massarelli spoke about the potential for vehicle lights (at the drive-thru) shining on the road, stating that it may be a hazard for pedestrians, he said that the landscape is not adequate to shade and/or block lights. Mr. Wherry stated that signage can be added. Mr. Massarelli said that structural things will need to be put in place at this point to prevent these problems. He said that the project is changing the character of the area significantly. He then asked if the alleyway is a one-way or a two-way. Mr. Wherry answered that it is currently a one-way, stating that there is a "do not enter" sign. Mr. Massarelli asked if there is a cross access easement allowing people to go behind the other parcel? Mr. Wherry responded "yes". Mr. Massarelli requested a copy of that documentation for the record. He then commented that he would like to have additional signage located at the exit of the drive-thru (by the stop signs) on the east side of the building stating "watch out for pedestrians". He also requested that a stop bar be placed at that location.

Mr. Massarelli stated that a list of comments will be provided. He stated that once the site plan is passed it will then be conditioned on the approval of the special exception.

*ID 2018-723*

- 1F) **DRC NO. 01-19-05** CONSIDERATION OF **SPECIAL EXCEPTION** FOR A DRIVE-THRU ADDITION TO AN EXISTING DUNKIN DONUTS RESTAURANT  
**LOCATION:** 7300 ROYAL PALM BOULEVARD  
**ZONING:** B-1  
**LEGAL DESCRIPTION:** LOTS 5 THOROUGH 10, BLOCK O, "GATEWAY MILE", AS RECORDED IN PLAT BOOK 63, PAGE 15, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA  
**PETITIONER:** STEVEN WHERRY, ESQ, AGENT FOR ROYAL PALM PLAZA INVESTMENT, LLC

**DRC Comments:**

Alexia Howald, had no comment

Richard Nixon, had no comment

Kevin Wilson, had no comment

Dan Topp, had no comment

Mark Collins, had no comment

Alberto Torres, had no comment

Ashley McCarthy, had no comment

Robert Massarelli, stated that it is important to show the lack of impact on the surrounding neighborhoods. He then said that in regards to the traffic study, he cannot logically come up with a conclusion that less traffic will be generated by building a drive-up window. Mr. Wherry responded that when looking at the traffic statement provided it leads to a false conclusion that suggests that the traffic will be lower with a drive-thru window. He then gave a history of the



Dunkin Donuts at this location, saying that year after year it has had declining profits, explaining that people prefer the convenience of a drive-thru. Mr. Wherry then said that the traffic statement addressed the a.m. and the p.m. peak hours, it did not address the daily trips. He stated that he will provide additional information.

Mr. Massarelli said that as soon as the site plan issues are cleared up then the special exception can be scheduled for Planning and Zoning and then to the City Commission.

## 2) GENERAL DISCUSSION

Mr. Massarelli stated that he will be out of town in February, saying that Andrew Pinney will be covering the DRC Meeting.

There being no further business, the meeting was adjourned at 12:52 PM

Respectfully submitted,

Prepared by Melissa M. Miller



Robert Massarelli  
Director of Development Services

Date: 5/14/2019