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REGULAR MEETING OF THE DEVELOPMENT REVIEW COMMITTEE

August 15, 2013

PRESENT:

Jeanine Athias, P.E.
Dan Booker – Fire Inspector
Chris Cotler, Building Official
Dennis Holste Jr., CRA Assistant Director
Lt. Charles Koenekke - Police
Sam May, Director of Public Works
Andrew Pinney, Associate Planner
Abe Stubbins, Engineering Inspector I
Dan Topp, Code Compliance Officer

ALSO PRESENT:

-Imtiaz Ahmed, P.E., Atlantic Engineering Services, Inc., for HUM, LLC
-Clrudy Brown, CAC Florida Medical Centers
-Mark Campbell, Mark Campbell Architects
-Jay Huebner, HSQ Group, agent for CSS Building & Design, Inc.
-Mitch Pellecchia – Margatenews.net
-Mike Petro, Landscape Architect, HSQ Group, agent for CSS Building & Design, Inc.
-Mike Troxell, Bohler Engineering, agent for Stockbridge Palm Lake Plaza, LLC

ABSENT:

Ben Ziskal, Director of Economic Development, excused

The regular meeting of the Margate Development Review Committee (DRC), having been properly noticed, was called to order by Andrew Pinney, Associate Planner at 9:31 AM on Thursday, August 15, 2013, in the Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, Florida 33063.

1. Approval of the August 1, 2013 DRC meeting minutes.

Andrew Pinney stated that since there were no comments on the minutes, they would be approved as written.

2. DRC NO. 08-13-05. Consideration of an **outdoor promotional event** for the CAC-Florida Medical Centers Open House, to be held on Thursday, August 22, 2013.

Clrudy Brown, Regional Marketing Manager of CAC-Florida Medical Centers, explained that on July 12, 2013, CAC acquired Family Care Associates. She requested a change of date for their proposed open house from August 22, 2013 to August 29, 2013 in order to allow enough time to promote this event. She said that they would like to hold this event to invite their current patient base to meet Dr. Allahrakha and his staff and that it was their first location in Margate. She relayed that the event would be held from 11 am to 2 pm and that refreshments, music and activities would be provided; adding that they would like to extend their invitation to other members of community for their ribbon-cutting.

DRC Comments:

Chris Cotler asked that a permit for Tents and Events be ready early for the ribbon-cutting.

Jeanine Athias was concerned about the location of the tent and asked how traffic would be controlled along State Road 7 and around the back of the building.

Dennis Holste Jr. inquired about the usage of the 10 x 10 tent. He wanted to know if the surrounding neighbors had been asked about parking for this event.

Clrudy Brown responded that the 10 x 10 tent would be used for cooking preparation. She said that Tents and Events had already submitted the fire retardant information, as well. She added that CAC owns most of the parking spaces surrounding the property and that, in addition, they would be providing a CAC van for transporting their patients to alleviate parking for this event. She invited everyone to attend and added that the Sun Sentinel and other media would be there.

Andrew Pinney stated that after submittal of revised documents reflecting the date change, this item would be approved and allowed to proceed.

3. DRC NO. 08-13-03. Consideration of a **plat note amendment** to add an additional 50,000 square feet of commercial space to the Margate Plaza Plat No. 1.

Mark Campbell, Architect, stated that when this property was originally platted in 1980 there were 170,000 square feet; but the previous owner subsequently sold off the parcels. He explained that the current property owner wants to increase the allowable square footage for his three lots on State Road 7 and would like to construct three new buildings; each one story tall comprising 6,000-10,000 square feet. He said that any additional square footage that they are requesting would go the shopping center itself for any additional work that they may contemplate. He expressed that this issue wasn't discovered until after the owner purchased this property. He emphasized that the owner would need this amendment before their building submission and that this would allow him to build on the three parcels.

DRC Comments:

Dan Topp noted that there were issues with cutting the swale on State Road 7 and inquired about whether there would be a curb cut to provide an exit onto on State Road 7.

Mark Campbell stated that there is an existing easement on the north side that exits to the west that they plan to use; adding that there were no curb cuts planned.

Andrew Pinney approved this item to move on to the next board.

4. DRC NO. 08-13-01. Consideration of a **site plan** approval to construct a 240-unit garden apartment complex.

Jay Huebner, HSQ Group, commented that his landscape architect, Mike Petro, was here and asked if there were any comments on this site plan.

DRC Comments:

Abe Stubbins, referring to Building 6 on PD-1, remarked that the outline of the building seemed to encroach into the conservation area. He asked if they had the County's approval or any comments pertaining to that; a letter may be required. He also inquired about fencing requirements around that area. He referred to sheet WS-1, Water and Sewer, and stated that the City would like to have the eight inch water line between Buildings 7 & 8 removed and added to the end. He noted that at the end of the site there is a fire hydrant with a line over 135 feet that has to be looped back into the system. He suggested looping that line back into the south end of Building 8, which has a gravity sewer, because there needs to be separation between the two. He said that there is landscaping, trees and a water main in this area and to be sure that the water main is ductile (CFC 900). He suggested showing on the plans how the sewer system ties in. He noted that the property by the easement has an HOA that should be contacted. He confirmed that the City doesn't allow tying in to a lift station and wanted to know if each building has a master meter.

Jay Huebner remarked that there is one meter with no sub-meters.

Mike Petro explained that they are working with the County to give them clearance on that small piece. He said that they haven't heard back yet but don't anticipate any problems. He said that right now, that area is open, with no fencing, but they are taking the comments and applying them to this submittal.

Dennis Holste Jr. wanted to know if there was going to be a fence or landscaping around the perimeter of the property.

Jay Huebner replied that there would be a black decorative aluminum metal fence.

Sam May remarked that the canal being tied into on the southwest portion of the property is a County canal, not City, so permits may be required through the County. He said that NW 31 St is a City owned street for which the City is responsible regarding maintenance of the swale & sidewalk. He noted that a catch basin is required for protection from sediment control during construction. He emphasized that there should be no breaking of the sidewalks before or after the project. He asked about detectable warnings at the entrances, which he didn't see on the plans, and noted that ADA compliance is required.

Jay Huebner said that they will need an MPDS permit, which they plan to obtain prior to construction, which will require them to have silt fences to protect the inlets, canals and such.

Jeanine Athias wanted to reiterate that consideration be taken for previous DRC comments. She wanted to know if an application for a County Surface Water Management license for drainage had been made. She said that she was concerned because they changed their standards for elevations for NGVD and that they may request a change from NGVD to NAVD. She'd like confirmation from them for which ever way they accept it. She requested an adequate verification of the turn lane queuing for cars waiting to enter through the security gate. Referring to sheet PD-3, she said that a 5 ft wide sidewalk is indicated; however she noted that the plans are different on PD-1 and PD-2, as it shows four foot wide sidewalks. She stated that any meter that is greater than two inches in diameter has to be a compound meter and suggested that they review the City Code for master meters, as well as garbage and recycling. She suggested speaking with the City's Sustainability Coordinator, Aaron Tauber, as he can clarify the differences. She said to make sure that hydrants are no more than 100 feet from the fire line. Regarding ERC's, she explained that water & sewer fees will be about \$386,280; Police fees \$89,371; Fire fees approximately \$99,705.60. She said that for the photo metrics, there are some areas that are over the half foot candle at the property line and that they should check that.

Jay Huebner responded that they have already applied for a County Surface Water Management license.

Lt. Koenecke noted that he could see only one exit/entrance off NW 31st Street and was concerned about traffic. He said that now that businesses are being added to Penn Dutch Plaza that the City should revisit adding entrances for ingress and egress. He noted traffic concerns, such as an existing school zone, but said that although this is not necessarily directed at this project it may be possible discussion for the group.

Andrew Pinney explained that years ago when FDOT built the State Road 7 flyover at Sample Road, they closed all driveway access on State Road 7 from the shopping center. He said that as far as he knows, the property owner has tried several times to negotiate with FDOT to reopen the entrance but that they will not allow it because of safety concerns.

Dan Booker asked where the emergency access was located. (It was pointed out)

Andrew Pinney explained that Code limits multi-family residential driveways to a maximum width of 36 feet and noted that the plans show 62 feet with a median. He said that regarding the vehicle queuing, Code requires three 10 feet wide x 20 feet long stacking spaces for a gate and would like the plans to show the vehicle reservoir areas. Mr. Pinney stated that Code requires wheel stops for parking spaces that abut a walkway. He added that the TOC Gateway District requires a minimum frontage build out of 70% and that a calculation must be provided on the site plan. He asked for clarifications on the building elevations; whether the buildings that face State Road 7 are identical on the front and back because it's a TOC Gateway requirement. In addition, he said that the buildings are required to be built on the build-to line, which depending on the roadway, is either 25 feet or 15 feet back from the edge of the curb. He remarked that there is a 12 wide foot utility easement which runs around the perimeter and that the first time this project was approved, the buildings were right on the utility easement; however, these plans show the buildings spaced back a few additional feet, and asked that they be shifted back to the original placement, which would satisfy the City's build-to requirements.

Jay Huebner confirmed that the buildings that face State Road 7 are identical on both front and back and that they would look into shifting the buildings back into their previous placement.

Andrew Pinney suggested that they look through the plans and move the buildings that are parallel to the road to the utility easement line, if possible, for the frontage build out calculations. He reminded them that this is a TOC District and an urban greenway is required. He said that since NW 31st Street is a local road, they are required to have a 15 foot greenway; starting from the edge of the curb, the first 8 feet is reserved for landscaping with a tree every 30 feet and then the remainder of the 15 feet would be a seven foot wide public sidewalk for NW 31 Street. He noted that on State Road 7 there is a bus pull-in on the frontage road which makes it unique, but starting from the edge of the curb there would need to be an 8 foot landscape strip and a tree every 30 feet. He said that after that, on State Road 7 a 12 foot wide public sidewalk is required and the remainder would be an option. In addition, he noted that open surface parking in the first lot layer is prohibited on the first layer; he said that the Code defines this as the first 25 feet from the edge of the curb on NW 31st Street and that there may be an issue near the emergency access. He said that an FDOT permit may be required to do the State Road 7 sidewalk. Mr. Pinney explained the parking calculation is incorrect; Code requires 1.5 spaces per unit plus guest parking for a total of 384; however the City does offer credits for adjacent transit. He noted that the spaces shown on the site plan are larger than the minimum and suggested that they may get more spaces with the smaller dimensions. He said that the minimum interior landscaping dimension is 7 feet wide and should be shown on all islands. He noted that in the TOC, the City requires minimum bicycle parking based on the unit count; in this case, parking for 85 bicycles is required. He suggested that they re-visit the interior landscape calculations since the City had passed an ordinance in July 2012 (Ord. 1500.589) which is now accessible on Municode. Regarding the photometric plan, he asked that they provide a detail of the light fixtures and noted that fully shielded fixtures are required. He asked to include the fence detail on plans. He added that since this project was previously approved for 262 units (of

these, 129 were TOC units that were allocated to the project) and now there will be a reduction of units to 240, a letter or official acknowledgement is required that the applicant is returning 22 TOC units. In addition, the unit and bedroom mix has changed, so he is requesting a new SCAD letter from the School Board. He would like to see a detail of the garbage compacter and letter from Waste Management acknowledging that they will service it. He added that he would make himself available to discuss these comments and possible solutions.

Dan Topp noted that there are many complaints and existing violations on this property regarding trash, debris, homeless camps, standing water and possible dumping near the Sable Circle community entry. He was concerned and inquired whether the area along the entry is designated wetlands. He noted that there were problems where the easement along State Road 7 isn't being cut, which he felt was an ongoing issue. He also pointed out that the SE corner shown on the application should actually be the SW corner. He emphasized that most complaints weren't valid.

Jay Huebner replied that the area by the Sable Circle community entry is not designated as wetlands.

Abe Stubbins, referring to sheet PD-1 on drainage, said that the elevations should be incorporated in relation to the surrounding buildings; showing the flow and how it is going to go over the sidewalk in between the buildings. He asked about the wetland area, the impervious areas being built around the area and how the wetlands will be replenished with water. He said that the existing lift station was designed for the 100 homes there now, but will need to be evaluated to see if that could handle the additional load. He added that the force main is four inches and wanted to make sure that it is adequate to transpose the flow.

Jay Huebner stated that this is conceptual engineering at this point and that they may add some yard drains. He said that they will be working with their environmentalist on the issues that Mr. Stubbins brought about.

Andrew Pinney stated that subject to these comments and conditions, the DRC would recommend approval. He asked the petitioner to resubmit three revised original site plans that are stamped, signed and sealed; incorporating all the comments and corrections into them.

Public Comment:

Mitch Pellecchia, 6890 NW 9 St commented that it was great to get new housing to Margate; especially when it involves receiving a half million dollars in impact fees. He felt that since this project has one entrance and exit spilling out to NW 31 Street, the additional 240+ apartments would attract more businesses to Penn Dutch Plaza and vacant storefronts would be filled. He asked if the City would consider another way to get in and out of this complex since most drivers from these apartments would utilize State Road 7 and NW 31 Street for commuting to work causing rush hour traffic. He felt that there were already traffic flow issues at that intersection involving school zones and school buses that cause traffic to stop.

Jeanine Athias addressed the public comment by saying that the petitioner is actually asking for a reduction in units than had been previously asked for and that, according to Broward County Traffic, they had met the traffic requirements before. She explained that when Penn Dutch Plaza develops, the County will have to get involved and will most likely do an additional traffic study.

5. DRC NO. 08-13-02. Consideration of a **special exception use**, for permission to construct a free-standing Dunkin Donuts restaurant with drive-through facilities.

Imtiaz Ahmed P.E., Atlantic Engineering Services, for HUM, LLC explained that he was presenting a revised site plan. He stated that this project was originally approved for a medical building and a commercial retail building but the owner has since been contacted by Dunkin Donuts with a proposed lease which would include a drive thru.

DRC Comments:

Chris Cotler wanted to know the status of the existing condition of the foundation work. He said that he was aware that the steel was placed in the second phase, well over six months ago; noting that he had received complaints because the steel is deteriorating and soil is blowing around. He emphasized that something has to be done immediately about the construction site condition because it's a safety hazard and it doesn't look good. He noted that the medical building is fine, but reiterated that the second phase needs immediate attention and that they should move ahead or clean up the property; make it safe so soil doesn't run and excessively run-off. He added that the steel is a hazardous condition and that dowels are sticking up; check them to see if they are not deteriorated to the point that they can not be used.

Imtiaz Ahmed said that they will probably have to remove all the steel and redo the foundation because the building is going to be changing a little bit.

Jeanine Athias asked where the message/ordering board would be located. She had some concerns on queuing and traffic.

Andrew Pinney explained that the Zoning Code required four vehicle reservoir spaces from the service window.

Sam May was concerned about the condition of the plaza. He noted that there was a turbidity barrier on Rock Island Road which keeps sediment from going into a catch basin. He said that it was just sitting there and was concerned that it was more of a liability since there had been no progress. He explained that the sidewalk will require truncated domes, must be ADA compliant, tie-in work must be completed and to be sure that it is put back new, to it's original condition.

Dennis Holste Jr. commented that the CRA is generally against pass throughs, such as drive thrus, which are against the plan. He explained that in the past, the CRA had suggested that

if the project were a part of a larger project, they would be in favor. He suggested that if Dunkin Donuts were moved down to the end, there would be more room and the CRA would approve it.

Abe Stubbins commented that something needs to be done with the site. He remarked that the turbidity barriers are in disrepair and that they would need to be reinstalled; any breaks should be repaired. He recommended that weeds six inches or taller need to be cut and suggested to cut grass to where it looks presentable. He noted that the sidewalk needs to be fixed because tripping and falling could become a problem. He affirmed that he knew that the petitioner was having sewer problems with the County.

Sam May clarified that the turbidity barrier that he was referring to is in the sod on Rock Island Road.

Dan Topp remarked that the condition of the grass is actually better this week but has indeed been an eyesore for months. He commented that the barrier is drooping and inquired as to whether they will need a demo permit.

Imitiaz Ahmed replied that a demo permit is not needed and that they received Surface Water Management approval from the County last week. He stated that they are still working with the County on the sewer.

Andrew Pinney had the following comments:

- The site plan is required to show vehicle stacking for the drive thru, starting at the service window.
- Four vehicle reservoir spaces are required for the drive thru.
- Each vehicle reservoir space must be 10 x 20 feet.
- The site plan must show where the menu board and service window are located.
- Agreed with Dennis Holste Jr.'s comment because it would provide additional vehicle stacking, however it is not required by Code.
- The site plan package must show the elevation of buildings and a photometric plan.
- Add an additional stop bar or stop sign where the drive thru intersects with the drive aisle, right before the crosswalk.
- Revisit landscape calculations so that it complies with Ordinance 1500.589. The minimum interior landscape dimension is seven feet.
- The site plan shows Dunkin Donuts using a retail parking calculation, but it should use a restaurant calculation.

Jeanine Athias added that if the orientation of the Dunkin Donuts were changed, it might be better to not have the drive thru between the 2 buildings, for it may be a concern for people coming around that corner that might hit the other building.

Abe Stubbins was concerned that the delivery trucks are tractor trailers that might block cars and wanted to know where they would park.

Andrew Pinney explained that regarding loading space, Code only requires loading space when the retail exceeds 10,000 square feet; the site plan shows just over 9,000 square feet and because it has less, it's not required, but a consideration for the plan.

Public Comment:

Mitch Pellecchia, 6890 NW 9th Street, expressed that this is outside the realm from what the CRA Plan has for the City. He felt that there were already problems with the Atlantic and Banks location of Dunkin Donuts regarding stacking into the public thoroughfare. He said that it sounds like we are underestimating this issue and that this proposed location will be extremely busy, with a lot of traffic, and that it's very likely to have stacking of ten cars or more during rush hour if the Dunkin Donuts is left where it is currently planned to be. He thought that it would be better solution to move the location to the end because otherwise, cars could be backed up into the street. He then asked if someone could be ticketed for blocking traffic.

Lt. Koenecke responded that it is unlawful to impede the flow of traffic.

Andrew Pinney recommended approval; subject to the comments and conditions. He told the petitioner to revise the site plans and then proceed to City Commission. He informed them that if it is approved, they will then need to submit three final plans prior to the City releasing any permits.

6. DRC NO. 08-13-06. Consideration of an **amended site plan**, to permit a daycare with outdoor play area in Palm Lakes Plaza.

Mike Troxell, Bohler Engineering, explained that the property owner is seeking to open a daycare facility in the shopping center and would like to install a fenced play area attached to side of building with direct access from the daycare to the play area.

Andrew Pinney informed the DRC members of the Board of Adjustment meeting that heard this item due to proximity of an establishment licensed to serve alcohol for consumption on premises. He said that the daycare was approved to open within 1000 feet of said establishment, subject to the condition that a decorative metal fence is provided around the playground.

DRC Comments:

Dan Booker wanted to confirm that an underground propane tank that was located there was removed and to make sure that there wasn't a secondary tank.

Jeanine Athias asked if they were placing any bollards in front of parking spots.

Mike Troxell replied that they were not planning on placing bollards because there will be a six inch curb and sidewalk with the play equipment set back into a fenced area.

Dennis Holste Jr. asked if the sidewalk in front of the walkway will now be blocked off by a permanent fence. He stated that traditionally the play area would be put in the back of a daycare facility; not the front. He then asked if there would be any plans for landscaping such as hedge or plant material.

Mike Troxell replied that there would be a decorative metal fence around the play area. He said that there is some existing landscaping and that he could ask the owner to consider adding more.

Abe Stubbins noted that he did see bollards on the plan that are three feet high and seven feet on the center.

Mike Troxell apologized and confirmed that there were indeed bollards on the plan.

Dan Topp remarked that there were Code issues; many dumpster enclosures behind the plaza are empty and the dumpsters are outside. He said that some of them are allowed, but there doesn't seem to be any management of them now.

Dennis Holste Jr. asked if there were any plans for a drop off or special parking plans.

Mike Troxell replied that the children in the daycare were aged from 12 months to 5 years old and that there would be no need for curb drop off. He said that parents will park in the current lot and walk their kids in with nothing specially designated at this point.

Andrew Pinney said that the City requires a photometric plan or a photometric certification before site plans can be finalized. He explained that this plaza is in a B-2 Community Business District, which allows child care, and it's required to have a fenced in grass play area. He explained that there needs to be an increase in the grass area or a correction in labeling the plans showing the amount of grass and pavement because it isn't clear.

Mike Troxell asked if it had to be all grass or could they have it rubberized.

Andrew Pinney explained that they could apply for a variance for alternate materials, such as rubberized mulch. He said he found BA 17-2005 in the variance archives, which allows for a 10% reduction in required parking for the plaza; however, Code says no reserved parking or blocking of the drive aisles in the busy part of the day. Mr. Pinney asked for all the dumpsters to be in an enclosure because it's codified and requested narrative explaining a solution to this; either utilizing the existing enclosures or building new ones, when the three finals are submitted. He stated that upon making the appropriate corrections and turning in three final signed and sealed plans, this amended site plan would be approved.


General Discussion

There was no general discussion.

There being no further business, the meeting adjourned at 10:57 AM.

Respectfully submitted,

Prepared by:
Alyson Morales



Date 9/9/2013
Andrew Pinney
Associate Planner

cc: Mayor and City Commission, City Manager, City Attorney, Associate City Planner,
Petitioners, Committee Members.