



**REGULAR MEETING OF
THE DEVELOPMENT REVIEW COMMITTEE**

Tuesday, April 26, 2016

10:00 AM

City of Margate
Municipal Building

City Commission

Mayor Tommy Ruzzano
Vice Mayor Joyce W. Bryan
Lesa Peerman
Joanne Simone
Frank B. Talerico

City Manager

Douglas E. Smith

City Attorney

Eugene M. Steinfeld

City Clerk

Joseph J. Kavanagh

PRESENT:

Ben Ziskal, AICP, CEcD, Director of Economic Development
Mary Langley, Building Director
Kevin Wilson, Fire
Lt. Paul Fix, Police
Dan Topp, Code Compliance Officer
Jeanine Athias, Engineering
Andrew Pinney, Associate Planner
Diane Colonna, CRA Executive Director

ALSO PRESENT:

Matthew H. Scott, Trip Scott Attorney at Law
Ryan Thomas, Thomas Engineering Group
Mark Gottlieb, Metro Group Development

ABSENT:

Abraham Stubbins, Utilities
Sam May, Director of Public Works
Michael Jones, Director of Parks and Recreation

The regular meeting of the Margate Development Review Committee (DRC), having been properly noticed, was called to order by Benjamin Ziskal at **10:00 AM on Tuesday, April 26, 2016**, in the Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, FL 33063.

- 1A) APPROVAL OF THE MINUTES FROM THE DRC MEETING HELD ON MARCH 8, 2016.

The minutes for March 8, 2016 were approved as written.

- 1B) APPROVAL OF THE MINUTES FROM THE DRC MEETING HELD ON MARCH 22, 2016.

The minutes for March 22, 2016 were approved as written.

- 2) NEW BUSINESS

- 2A) **DRC NO. 04-16-01** CONSIDERATION OF A **SITE PLAN RE-SUBMITTAL** FOR CUMBERLAND FARMS
LOCATION: 5485 WEST ATLANTIC BOULEVARD, MARGATE, FL 33063
ZONING: TRANSIT ORIENTED CORRIDOR-CORRIDOR (TOC-C)
LEGAL DESCRIPTION: A PORTION OF "MARGATE REALTY NO 1", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 120, PAGE 27 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
PETITIONER: MICHAEL TROXELL, THOMAS ENGINEERING GROUP

Ben Ziskal read the item title and asked the petitioner to come forward and highlight the changes that were made since their original submittal to DRC last year.

Matthew Scott, Tripp Scott Attorney at Law, explained that they had received extensive comments when they submitted to DRC last year and they went back and made some changes to accommodate the concerns set forth due to the requirements of the Transit Oriented Corridor (TOC) district. He said they met with City staff a few months ago to discuss the concerns and there was tension between what the City was trying to do with the TOC regulations, the constraints of the shopping center, and the typical development ideas behind a convenience store that wanted to provide fuel service. He said they understood a special exception and variances would be required because the setback requirements of the TOC were impossible for their type of business. He outlined the key changes that they thought made this project special, and also addressed the tension, specifically:

- they added charging stations for electric vehicles on the east side, noting that no other Cumberland Farm store in Florida offered this feature;

- they added a small park with extensive landscaping in the shopping center on the north side;

- they proposed a larger sidewalk in the front as required by the TOC regulations.

He commented that this location would offer atypical in-store features such as exciting, modern graphics that would take their customers through the store.

He said they wanted to know specifically what variances would need to be requested.

DRC comments:

Mary Langley commented that building permits would be required.

Diane Colonna asked if there was an updated elevation plan. Mr. Scott pointed it out on the Monopad display screen. She had no further comments.

Mark Gottlieb, Metro Group Development, 500 Doris Road, Atlanta, Georgia, stated that the reason the height of the vestibule was not higher than the 22-foot as shown was due to restrictions from the anchor tenants in the shopping center. Ms. Colonna commented that the preference was to have the building closer to the street.

Mr. Scott said that the elevation brought up the tension they were trying to address. He said they understood that the City wanted to have mixed-use and the buildings closer to the roadway; however, he noted that the challenge of being in an existing shopping center was that some of the tenants in the shopping center had contractual rights which made it difficult for

them to determine what could be developed on this type of site. He said they provided the elevation that they could recognizing that the TOC regulations preferred a two story minimum.

Dan Topp had no comment.

Andrew Pinney provided the following comments:

- The layout for the proposed urban greenway was reversed. He said the landscape buffer was meant to be between the roadway and the sidewalk, and the sidewalk should be 12-foot wide.
- The primary structure was not pulled up to the established build-to-line of 25-foot from the curb to the roadway.
- The required frontage build-out was 70 percent in the TOC district but they had proposed zero build-out.
- A pedestrian zone that included a 4-foot landscape relief off the building and an 8-foot wide sidewalk on the east, south, and west sides was required since the building did not abut a roadway.
- City Code did not currently allow bollards in parking spaces as shown on the site plan. He noted there was a pending ordinance that would permit bollards for parking spaces that abutted outside seating areas. Mr. Gottlieb said they could eliminate the bollards in the front area.
- While not a requirement, he suggested they consider widening the meandering sidewalk from 5-foot to 8-foot to make it more consistent with the wider sidewalks prevalent in the Code.
- On landscaping sheet CFG08.2, he asked that they add a line to section 23-7 to the Landscaping Code Compliance Chart. Also, he asked they provide a calculation for the canopy square footage of the new and relocated trees; the square footage could be obtained from the table in Section 23.20.
- On the photometric plan, the Code had a maximum uniformity ratio allowed of 10:1 while their chart showed 45.5:1. He noted there were several areas in the parking lot that that fell below two foot candles which would limit their hours of operation to 7:00 p.m., as well as a few areas that fell below the Code minimum of one foot candle. He said the lighting needed to be increased in the vehicular use areas only.
- Advised that any signage shown in the site plan was conceptual; the details would need to be worked out in permitting.
- Asked for a verified measurement to show the distance from the proposed gasoline station to the existing Orion gas station at Atlantic Boulevard and North State Road 7.

Jeanine Athias asked if they would keep the same finished floor elevation as the building that was being demolished. Mr. Scott said it would be based on (inaudible). Ms. Athias said they were not in a flood zone but the surrounding area was a flood zone. She asked that the plans be NAVD and that they get clearance from Broward County on their changes. She advised them to contact Leo Zervas to obtain impact fees.

Kevin Wilson advised that the attendant/clerk inside the building had to have line-of-sight of the pumps in the event of a malfunction at the pumps that would require them to be shut down.

Paul Fix had no comment.

Ben Ziskal made the following comments:

- Expressed concern that the gas pumps were fully visible from Atlantic Boulevard. The preference would be to change the orientation by either flipping it 180 degrees whereas the

pumps would run along the alley and the building would be along Atlantic Boulevard, or to reorient the building 90 degrees either way so that a portion of the building façade faced Atlantic Boulevard.

-Regarding the sidewalk connectivity from the building to the public sidewalk, he asked that they ensure there was ADA access. He noted that the crossing over the in parking lot on the east side did not have hashing, and there were no detectable warnings on the west side. Asked that they make sure the sidewalk network was ADA compliant from the handicapped parking spaces to the building and out to the public sidewalk.

-He asked that they make the revisions brought forth at that day's meeting. He asked them to coordinate the variance process with the Economic Development Department. He suggested that they go through the variance process and get a determination from the Board of Adjustment before proceeding to the City Commission. He explained that by doing so, they would be able to work out the design components first, and the City Commission would be their appeal opportunity in the event something was denied by the Board of Adjustment. He said they had the right to go directly to the City Commission for the Special Exception first, but it would be contingent on all of the variances.

Ryan Thomas, Thomas Engineering, responded to Mr. Pinney's comments about the location of the sidewalk. He said the reason they placed the sidewalk up against the curb line was due to the location of the utility easements and the ability to get more plantings on the backside of it. He said they could move the sidewalk closer to the site, but the utility easement would interfere with the landscaping strip. He said he would contact Mr. Pinney to discuss landscape options. He asked about the next steps to move the project forward.

Mr. Ziskal suggested that they meet one-on-one to discuss design changes based on that day's meeting. He said if they wanted to seek variances based on the layout presented, they could proceed directly to the Board of Adjustment. He said if they planned to rework the plan and there were significant design changes such as the building's orientation that would have other impacts, his suggestion would be that they come back before the DRC. If there were just minor changes that were in response to changes requested that day or to comply with the Zoning Code, he said they could be worked out without going before DRC again.

Mr. Thomas said he thought they could accommodate most of Mr. Pinney's comments. He asked his team if they understood the variances that would be required if they were to proceed with the layout proposed that day. His team members acknowledged that they understood.

3) GENERAL DISCUSSION

There was no discussion.

There being no further business, the meeting adjourned at 10:21AM.

Respectfully submitted,

Prepared by: Rita Rodi



Date: 8 JUNE 16

Benjamin J. Ziskal, AICP, CEcD
Director of Economic Development