



**REGULAR MEETING OF
THE DEVELOPMENT REVIEW COMMITTEE
MINUTES**

Tuesday, May 24, 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

Douglas R. Gonzales

City Clerk

Joseph J. Kavanagh

PRESENT:

Mary Langley, Building Director
Kevin Wilson, Fire
Dan Topp, Code Compliance Officer
Andrew Pinney, Associate Planner
Jeanine Athias, Engineering
Lt. Paul Fix, Police Department
Abraham Stubbins, Utilities

ALSO PRESENT:

Patricia Taime, Fireworks Lady & Co., LLC
Juan C. Caycedo, RLC Architects

ABSENT

Ben Ziskal, AICP, CECD, Director of Economic Development
Diane Colonna, CRA Executive Director
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 Andrew Pinney at **10:03 AM on Tuesday, May 24, 2016** in the Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, FL 33063.

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- 1) APPROVAL OF THE MINUTES FROM THE DRC MEETING HELD ON APRIL 26, 2016.

The minutes for April 26, 2016 were approved as written.

- 2) NEW BUSINESS
- 2A) **DRC NO. 05-16-06:** CONSIDERATION OF AN **OUTDOOR EVENT** FOR ATLANTIC BAPTIST CHURCH JUNE 29, 2016 THROUGH JULY 4, 2016.
LOCATION: 4850 WEST ATLANTIC BOULEVARD, MARGATE, FL
ZONING: CF-1 COMMUNITY FACILITIES

Economic Development Department

5790 Margate Boulevard, Margate, FL 33063 • Phone: (954) 935-5330 • Fax: (954) 935-5304
www.margatefl.com • edevdirector@margatefl.com

LEGAL DESCRIPTION: PARCEL "A" OF "ATLANTIC BAPTIST CHURCH", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 121, PAGE 32, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PETITIONER: PATRICIA TAIME, FIREWORKS LADY & CO., LLC

Patricia Taime, Fireworks Lady & Company, LLC, explained that their request was for a short term sparkler sales event for July 4th to be held at the Atlantic Baptist Church.

DRC Comments:

Mary Langley advised that permits were required for the canopies. Ms. Taime responded that everything had been submitted.

Kevin Wilson had no comment.

Dan Topp had no comment.

Jeanine Athias had no comment.

Abraham Stubbins had no comment.

Lt. Paul Fix had no comment.

Andrew Pinney commented that their request included nine days for set-up while City Code allowed for a three day set-up period. He asked if the equipment would be sitting out unattended and abandoned. Ms. Taime explained that a series of activities would be taking place including decorating, product delivery, electrical work, etc. Mr. Pinney said that would be fine as long as the site was active. Mr. Pinney advised that they would be allowed to have a 24-square foot sign on Atlantic Boulevard that could be posted starting June 6, 2016. Also, since they partnered with the Church, a charitable organization, he advised that they would not need to come before the DRC again next year if they chose to have the same event. He said they would need to submit their written request with the same site plan along with current insurance and hold harmless agreements.

Ms. Taime asked if wave banner signs were allowed. Mr. Pinney responded that they were considered animated signs and they were not allowed. Ms. Taime asked about a waving, flag type banner. Mr. Pinney responded that they could have a 24-square foot banner or a rigid sign.

Mr. Pinney said that Staff approved the event.

Mitch Pellecchia, 6890 N.W. 9th Street, said he wanted to clarify that wind feathers were not banners and that they were not allowed. Mr. Pinney agreed that wind feathers were not allowed.

2B) **DRC NO. 05-16-07:** CONSIDERATION OF **SITE PLAN** APPROVAL FOR A DRIVE THROUGH DANDEE DONUTS AND ATM

LOCATION: 3103 NORTH STATE ROAD 7, MARGATE, FL

ZONING: TRANSIT ORIENTED CORRIDOR-GATEWAY (TOC-G)

LEGAL DESCRIPTION: 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: MARLA NEUFELD, ESQ., GREENSPOON MARDER, PA

Andrew Pinney introduced the item.

Juan Caycedo, RLC Architects, 14 S.E. 4th Street, Boca Raton, explained that the project was the renovation of an existing retail store and the addition of a drive through on the western portion of the site. He said a food merchant had expressed an interest in opening a retail store with a drive through facility. He said they were also applying for a kiosk for Wells Fargo Bank that would be located on the southeast portion of the site. He said the most important aspect of their request was the desire to revitalize the shopping center that had been neglected.

DRC Comments:

Mary Langley advised that building permits were required.

Kevin Wilson asked if the hatched area shown by the automated teller machine (ATM) on their Site Plan was curbing or striping on the ground. Mr. Caycedo responded that striping appeared by the ATM as well as the loading zone, so it would not impede access for fire trucks.

Dan Topp asked that the percentage of native plants be shown in the landscape requirements chart.

Jeanine Athias asked about the uses for the retail addition, the drive through and the kiosk. Mr. Caycedo responded that the retail addition was not part of the donut shop and that they did not have a proposed use at that time but they were marketing the space. He said the drive through was for the donut shop and he pointed it out on the Site Plan. He said there would be a kiosk for an ATM but not a bank.

Ms. Athias advised that there might be plat restrictions for the amount of square footage on the total plat as well as a restriction for a free standing bank with drive through facilities; she suggested they check the plat restrictions to determine whether they might need to request an amendment to the plat.

She advised that their survey needed to be in NAVD instead of NGBD. Also, she said the flood zone for the area was AH12 and the finished floor elevation for the existing property was 14.4 in NGBD. She suggested they contact Broward County for the addition as they might request the finished floor be raised. She said they would need a permit from Broward County for the surface water management as well.

Ms. Athias asked the location of the order board for Dandee Donuts. Mr. Caycedo said he did not know at that time; he said they were currently reviewing the plans, signage, etc., and the order board would be addressed. She said the order board would need to be shown as the

stacking would be based on it. She said the stacking appeared to overflow onto the adjoining property. She said the ATM stacking also needed to be shown. She commented that the traffic flow at the entryway to the ATM appeared to run counter to the other traffic flow. He acknowledged that it did; she said it would be dangerous and that he should reconsider how it was oriented.

Ms. Athias said there would not be any impact fees for the restaurant; however, there would be one ERC (Equivalent Residential Connection) and the impact fees for the addition would be approximately \$4,000 for police and \$3,300 for fire for the new building.

Abraham Stubbins made the following comments:

- approval from the shopping center would be needed for the drive through and curb work improvements that were planned for the parking lot because it was an out parcel. Mr. Caycedo said they had met with the shopping center already.
- asked about the number of water meters they planned to install, noting that there were three businesses planned. Mr. Caycedo responded that it would be master metered plus one meter for the sprinkler system. Mr. Stubbins asked that those items be shown on the plan.
- advised that the grease trap in the stacking lane would need to be relocated at it would be a hazard during those times it was being serviced.
- advised that a stop bar was needed at the point where traffic left the ATM kiosk and approached the shopping center entrance.
- advised that the City records had a different drainage plan than the one being presented. He provided Mr. Caycedo with an aerial of the site and asked him to verify their plan.
- referenced the landscape plan and advised that the species of trees that they planned to install were too large because they conflicted with the location of the water meter, sewer connection and the proposed fire line. On the drainage plan he provided to Mr. Caycedo, he also pointed out a large tree located near a drainage line and catch basin at the south end of the entrance; he said it also needed to be a smaller species of tree.
- advised that there was an existing permit on the site that needed to be closed out. He said the permit required the installation of some additional trees and that the additional trees/canopy would need to be included in their existing landscape plan.

Ms. Athias commented that she saw some inconsistencies between the Site Plan and the Engineering Plan and she asked that they review them.

Lt. Paul Fix had no comment.

Andrew Pinney said it was refreshing to see new life being brought to the subject property as it had been vacant for a long time. He provided the following comments:

- survey showed an existing structure with 8,025 square feet and the applicant planned to add 3,100 square feet, an addition of 36 percent to the structure. He noted that the City's Zoning Code qualified that percentage (over 25 percent) of an addition as redevelopment; the redevelopment threshold required compliance with all provisions of the TOC Zoning Code.
- building placement on State Road 7 was fine; however, a 70 percent frontage build-out was required. Frontage was not an issue on N.W. 31st Street.
- parking calculations on the Site Plan were not accurate, noting that Code required 3.0/1,000 square foot for retail while their plan showed 4.0/1,000 square foot.

-advised that a bicycle calculation using the formula of one bicycle per 2,500 square feet of retail needed to be shown on the plan.

-advised the TOC guidelines required an urban greenway. He explained a landscape buffer of at least 8-feet wide with a tree every 30 feet was required with a broad sidewalk of at least 12-feet in width on State Road 7 and of at least 7-feet in width on N.W. 31st Street. Mr. Pinney acknowledged that often times the improvements took place in the right-of-way.

-expressed agreement with Engineering's comments about the location of the ATM and the counter circulation of the traffic pattern and also noted that the site was over-parked per Code. He suggested they consider relocating the ATM into one of the parking rows on the perimeter on the south side where they could create a turn-in lane which would create for better site circulation. Mr. Caycedo responded that they had looked at different options but the bank's main objective was to not have the free-standing kiosk be too visible. He asked about additional signage to alleviate the visibility issue. Mr. Pinney said the Code allowed a monument sign every 100 feet, and that Section 39.8 limited the signage on the ATM itself. Mr. Caycedo said he would need to check the options with the bank.

-advised the TOC required a pedestrian zone on the south side of the building. He said the minimum was 12-feet overall with 4-feet of landscaping coming off the building line and then an 8-foot wide sidewalk.

-site plan showed tight parking drive isles and full 18-foot parking stall depths with wheel stops. He advised that Code allowed vehicle overhang of two feet in curbed landscaped areas, therefore, they could remove the wheel stops and reduce parking stalls down to 16 feet.

-asked that the setback call-outs for the monument signs be shown on the plan

-advised that a 5-foot setback was required for the monument sign on State Road 7

-noticed one of the poles on the table on the Photometric Plan labeled SC showed a 12-foot height; the minimum pole height required by Code was 15-foot

-pointed out discrepancies on the landscape calculation chart between what was required versus provided. He explained that Section 23-23 defined tree species by category and each category had a specific canopy value. He asked that the chart be corrected.

-asked that they add the percentage of sod, noting that the interior and the perimeter along the interior of the shopping center were limited to 30 percent sod and the right-of-way buffer had to be covered with at least 50 percent of ground cover after the tree and hedge were installed.

-asked that they add a line item to the landscape calculation chart for the street trees for the urban greenway which he said were to be installed in the right-of-way.

Mr. Pinney said that in spite of his comments, he appreciated their efforts on improving the site. He offered to meet with them after the meeting to discuss further and provide any clarifications. He said resolution was needed on the issue concerning the location of the ATM and the traffic circulation. He said approval was granted subject to conditions. If there were any substantial changes to the Site Plan, he said it might need to come back to the DRC; no need to come back for minor changes.

Mitch Pellecchia, 6890 N.W. 9th Street, commented that he was excited to see the property being improved.

2C) **DRC NO. 05-16-08: CONSIDERATION OF A SPECIAL EXCEPTION USE FOR NEW CONSTRUCTION OF A DRIVE THROUGH DANDEE DONUTS**

LOCATION: 3103 NORTH STATE ROAD 7, MARGATE, FL

ZONING: TRANSIT ORIENTED CORRIDOR-GATEWAY (TOC-G)

LEGAL DESCRIPTION: 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: MARLA NEUFELD, ESQ., GREENSPOON MARDER, PA

Juan Caycedo, RLC Architects, 14 S.E. 4th Street, stated that this was a request for construction of a drive through for the donut shop on the west side of the property.

Andrew Pinney advised that the focus of this item was on the use; the technical details of the Site Plan were discussed in the previous item [2B].

DRC Comments:

Mary Langley had no comment.

Kevin Wilson had no comment.

Dan Topp had no comment.

Jeanine Athias advised that she provided her comments with the previous item [2B] and she had none further to add.

Abraham Stubbins had no comment.

Lt. Paul Fix had no comment.

Andrew Pinney referenced comments made by Ms. Athias in the previous item [2B] concerning vehicle stacking that overflowed outside the parcel, and he advised that it might not be an issue if the petitioner had a cross access agreement that allowed traffic to flow between the two parcels. He noted that the issue with the location of the menu board needed to be resolved.

He said the application was approved to move forward.

2D) **DRC NO. 05-16-09:** CONSIDERATION OF A **SPECIAL EXCEPTION** USE FOR THE DEVELOPMENT OF A STANDALONE, DRIVE THROUGH ONLY KIOSK AUTOMATED TELLER MACHINE (ATM)

LOCATION: 3103 NORTH STATE ROAD 7, MARGATE, FL

ZONING: TRANSIT ORIENTED CORRIDOR-GATEWAY (TOC-G)

LEGAL DESCRIPTION: 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: MARLA NEUFELD, ESQ., GREENSPOON MARDER, PA

Andrew Pinney introduced the item and advised that the project had been discussed in Item 2B.

DRC Comments:

Mary Langley had no comment.

Kevin Wilson had no comment.

Dan Topp had no comment.

Jeanine Athias referenced the comment she made in Item 2B about there being a plat restriction for a standalone drive through facility. She advised that they might need to obtain a plat amendment.

Abraham Stubbins had no comment.

Lt. Paul Fix had no comment.

Andrew Pinney referenced the concerns previously mentioned in Item 2B about the traffic circulation. He clarified that the property was in the TOC Gateway and an outside ATM was a permitted use, however, it was the drive through that serviced the ATM that was the Special Exception.

He said approval was granted subject to the condition that the vehicle circulation was addressed and improved.

3) GENERAL DISCUSSION

There was no discussion.

There being no further business, the meeting adjourned at 10:34 AM.

Respectfully submitted,

Prepared by: Rita Rodi



Date: 6/29/2016

Andrew Pinney, Associate Planner

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