



City Commission

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REGULAR MEETING OF THE DEVELOPMENT REVIEW COMMITTEE MINUTES

Tuesday, August 14, 2018

10:00 AM

City of Margate
Municipal Building

PRESENT:

Robert Massarelli, Director of Development Services
Andrew Pinney, Senior Planner
Richard Nixon, Director, Building Department
Lt. Ashley McCarthy, Police Department
Abidemi Ajayi (A.J.), Engineer, DEES
Diana Scarpetta, CRA Project Specialist
Kevin Wilson, Fire Inspector
Dan Topp, Community Development Inspector
Alexia Howald, Associate Planner

ALSO PRESENT:

Steven L. Cohen, President, Steven L. Cohen and Associates, P.A.

ABSENT:

Lt. Joe Galaska, Police Department
Abraham Stubbins, Utilities Inspector
Alberto Torres-Soto, Senior Engineer, DEES

The regular meeting of the Margate Development Review Committee (DRC) having been properly noticed was called to order by Robert Massarelli at 10:00 AM on Tuesday, August 14, 2018, in the City Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, FL 33063.

1) APPROVAL OF MINUTES

ID 2018-208

- 1A) APPROVAL OF THE MINUTES FROM THE DEVELOPMENT REVIEW COMMITTEE MEETING ON MAY 22, 2018.

Minutes for the May 22, 2018 were approved as written.

2) NEW BUSINESS

ID 2018-369

- 2A) **DRC NO. 08-18-02** CONSIDERATION OF A SITE PLAN AMENDMENT FOR A RESTAURANT
LOCATION: 1821 NORTH STATE ROAD 7

Development Services Department

901 NW 66th Avenue, Margate, FL 33063 • Phone: (954) 979-6213
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ZONING: TOC-C**LEGAL DESCRIPTION:** IBEC NEIGHBORHOOD NO 1 45-42 LOT 65 S
100 OF N 200 OF S 600**PETITIONER:** STEVEN L COHEN, ARCHITECT, FOR PHONG TRUONG,
VO ANN VIETNAMESE RESTAURANT, LLC

Mr. Steven L. Cohen introduced himself and gave a brief explanation of the proposed conversion. He explained that the owner would like to build a covered porch off the front with open sides to create an outside dining area, renovate the existing kitchen, and modify the interior seating. Mr. Cohen stated that they plan to revise and upgrade the landscaping, including the addition of new trees and a new wood fence along the west side of the property. The building will also be enhanced and repainted to become a Vietnamese Restaurant.

DRC Comments:

Richard Nixon commented that there are open permits on the property that will need to be resolved before a new permit is issued. He said that the ADA accessible routes will need to be addressed, as well as the bathrooms which do not look to be ADA compliant; as for the addition of the outdoor seating area, the elevation of the slab will need to meet the minimum requirements for flood plan approval. He stated that a complete set of plans will be required for the build-out and renovation of the building. Mr. Cohen responded that they will be re-doing the interior and bringing the bathrooms up to the current code, in addition to reworking the entire outside walk area. Mr. Nixon stated that upon site plan approval they will proceed and bring in a complete set of plans.

Kevin Wilson commented that the hood suppression system is not UL 300 compliant and will need to be brought up to code. He stated that an additional exit out of dining room to the east of the building, as a second means of egress is required. Mr. Cohen stated that they will be replacing the entire hood system. Mr. Wilson asked if they will be serving alcohol. Mr. Cohen responded "yes". Mr. Wilson stated that with over one-hundred (100) people, they will need a fire alarm and fire sprinklers.

Dan Topp commented that a landscape calculation providing the percentage of natives per Section 25.3(A)(1) of the Margate Code of Ordinances chart will need to be submitted. He stated that the Category 1 trees are not shown in the buffer zone on the west side, and that along that property line Category 2 trees will need to be spaced every 18 feet. He asked that they indicate on both the plans and the landscape calculation chart the shade trees and shrubs required for the interior landscaping within the vehicular areas; stating there is a certain amount of landscaping required for each parking space according to Section 23-8, and to include no more than thirty (30) per cent turf in those areas. He mentioned to identify the existing trees and palms on plan, which can be included in the calculation chart. Mr. Topp stated that Category 1 trees are required along the south property line per Section 23-7(A), and no more than thirty (30) per cent of the landscape strip can be sodded. He said to provide a right-of-way landscape strip and three (3) shade trees along State Road 7, and specified that fifty (50) per cent of the landscaping strip would need to be occupied by shrubs and ground cover per Section 23-6(B).

Alexia Howald handed written comments to the petitioner which are attached heretofore the record. She asked Mr. Cohen what the hours of operation will be for the restaurant. Mr. Cohen responded from 11:00 a.m. until either 9:00 p.m. or 10:00 p.m. and possibly longer on the weekends. Ms. Howald asked if there will be dancing or other floor entertainment at the restaurant. Mr. Cohen answered "no". Ms. Howald stated that the building area table shows one thousand, eight hundred and eighty-five (1,885) sf for the total dining area, which consists of one thousand, one hundred and sixty-three (1,063) sf of customer service area and five hundred and sixty-five (565) of the covered patio, leaving two hundred and fifty-seven (257) sf of dining area that is not accounted for. She asked Mr. Cohen for clarification on this. Mr. Cohen explained that it is an office space which is upstairs in the building. Ms. Howald continued with her comments stating that in Section 22.3 a minimum of four (4) ft. clear pedestrian passage needs to be provided throughout the walkway café. She said that it is measured from the chairs and tables when they are occupied. She asked Mr. Cohen how they calculated the proposed seating of one hundred and thirty-four (134) seats when the original seating for the previous restaurant showed eighty-eight (88) seats. Mr. Cohen explained that they are adding a bar counter with seating and calculated seating around the perimeter, he further explained that some of the tables will now seat six (6) people. Ms. Howald asked if this calculation includes the walk-way café? Mr. Cohen answered "yes". Ms. Howald went on to say that irrigation will need to be submitted with every landscape plan. She said that the handicap parking space sign lettering where it states the amount of fine, needs to be a minimum of two (2) inches in height. She said that per Section 33.2(B)(5), no off-street parking area drive-aisle shall be less than twenty-two (22) feet in width for two-way traffic. Ms. Howald said that there are some concerns with the placement of the light poles per Section 33.2(E). She stated that the proposed lights will need to be shown on the landscape plan in addition to the site plan. Ms. Howald said that a property owner consent for the proposed vinyl fence on the east side of the building is required. Her final comment for the project is in regards to the wall signs, which is limited to one (1) sf per linear foot of the building frontage.

Diana Scarpetta commented on the CRA incentives, stating that the property is in the CRA and that they can submit an application for both the Exterior Improvements Program and the Business Grant Program, which is for the interior renovations. She said that no work can be done prior to approval from the CRA. She confirmed that Trump Property Management closed on the property on July 31, 2018.

Abidemi Ajayi commented that there will be impact fees due for the additional seating, as well as impact fees due for the installation of the irrigation meter. He stated that an engineering permit is required for the separate connection of that meter. Mr. Ajayi stated that the drainage permit (ERP Permit) will need to be updated with Broward County. He mentioned that any asphalt repairs will require an engineering permit and sealcoating will require a building permit.

Ashley McCarthy had no comment.

Andrew Pinney commented that any exterior ADA improvements should be shown on the site plan. He clarified Mr. Topp's comment in regards to the Category 2 trees on the west side which is due to existing overhead utility lines, stating that normally the code requires Category 1 trees along the residential buffer, however due to the overhead lines you get a stepdown category. He clarified that where the code mentions a shade tree this is defined as a Category 1 tree.

Mr. Pinney stated that due to the hours of operation the parking lot lighting is required at lighting level two (2), which is a minimum of 2.0 foot candles. He said that the walkway café will require a separate building permit with both insurance and hold harmless requirements,

which can be found in Section 22.3 of the Zoning Code. He also mentioned that they will need a color palette approval prior to painting the building.

Robert Massarelli commented that this property is connected by a driveway to the north property, he then asked Mr. Cohen if there was an existing cross access easement? Mr. Cohen responded that he does not know and will check through title search. Mr. Massarelli asked if it was the intent of the property owner to use that access? Mr. Cohen answered that with the parking now modified they will have their own accessibility.

Mr. Massarelli asked Dan Topp if two (2) feet of landscaping could be placed along with wheel stops to the north side of this property? Mr. Topp answered that there may not be enough space along the east. Mr. Massarelli stated that a barrier may need to be put up if the driveway connection is no longer there. Mr. Cohen stated that they are able to place landscaping there, because the last parking space is four and a half (4 1/2) feet from the property line therefore the landscaping can be continued. Mr. Pinney mentioned the code allowing for a reduction installed depth and allows for a two (2) foot vehicle overhang into a landscape area, providing that landscaped area is curbed or protected and at least 7-feet deep. He stated that staff can count both the properties for that depth, however he is unsure if the 7-feet is there. Mr. Cohen believes that there may be 7 feet of landscaping, however he will verify this number. Mr. Pinney asked if any of these improvements will be on the neighboring property? Mr. Cohen responded that part of it would have to be and that they could close their side off and install a wood fence to block access. Mr. Cohen asked if the reason for this is to block access? Mr. Pinney responded that one of the major goals of the TOC is interconnectivity and rear alley connection, and by blocking that access off the developer would not be accomplishing that goal. Mr. Cohen stated that they have no problem leaving it open, however he will verify a cross access agreement between both properties, and show the existing landscape. Mr. Massarelli stated that the first priority is to maintain the interconnection.

Mr. Massarelli asked Mr. Topp in regards to the fence on the west side of the property what the code requirement is for the construction of a fence? Mr. Topp answered if that property was developed first then there would be a requirement for a solid fence, which could have happened before the code existed. He stated that he is unsure if that was a requirement, and said currently there is an existing fence located on the residential property side.

Mr. Pinney wanted to clarify in reference to the buffer between commercial and residential properties on the west side, he stated that the code requires a six-foot tall masonry wall, a six-foot high landscape strip, and a tree every twenty-five feet, which is at the time of new development or re-development. He said that in this case this does not apply to this application. Mr. Cohen stated that they will be installing a vinyl wood fence along the west side so that they can separate the properties; he also explained that the reason for the lighting and the gates on the south side is to keep people from hanging out there.

Mr. Cohen stated that they are willing to comply asking the board for approval subject to the ADA requirement in which he will need to hire a civil engineer for. He reassured the board his compliance to all the corrections.

Mr. Massarelli stated that based on the comments they will need to submit three (3) signed and sealed sets for site plan approval. He said that the board is approving the application for the site plan for the restaurant located at 1821 N. State Road 7, subject to the conditions of the committee.

3) GENERAL DISCUSSION

No comments from the board.

There being no further business, the meeting was adjourned at 10:38 AM

Respectfully submitted,

Prepared by Melissa M. Miller

Robert Massarelli
Director of Development Services

Date: _____

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