



### City Commission

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Vice Mayor Anthony N. Caggiano  
Lesa Peerman  
Tommy Ruzzano  
Joanne Simone

### City Manager

Samuel A. May

### Interim City Attorney

Goren, Cherof,  
Doody & Ezrol, P.A.

### City Clerk

Joseph J. Kavanagh

## REGULAR MEETING OF THE DEVELOPMENT REVIEW COMMITTEE MINUTES

**Tuesday, October 23, 2018**

**10:00 AM**

City of Margate  
Municipal Building

### PRESENT:

Andrew Pinney, Senior Planner  
Richard Nixon, Director, Building Department  
Abidemi Ajayi (A.J.), Engineer, DEES  
Diana Scarpetta, CRA Project Specialist  
Kevin Wilson, Fire Inspector  
Dan Topp, Community Development Inspector  
Sgt. Anthony Sclafani, Police Department

### ALSO PRESENT:

Justin Thompson, P.E., Project Manager, Bowman Consulting  
Eric Pierce, Owner/Operator, Culver's  
Steven Wherry, Greenspoon Marder

### ABSENT:

Robert Massarelli, Director of Development Services  
Lt. Ashley McCarthy, Police Department  
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 Andrew Pinney at 10:05 AM on Tuesday, October 23, 2018, in the City Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, FL 33063.

### 1) NEW BUSINESS

*ID 2018-543*

- 1A) **DRC NO. 10-18-01** CONSIDERATION OF A SITE PLAN FOR THE NEW CONSTRUCTION OF A 4,443 SQUARE FOOT CULVER'S RESTAURANT  
**LOCATION:** 5510 WEST COPANS ROAD  
**ZONING:** TOC-G GATEWAY  
**LEGAL DESCRIPTION:** A PORTION OF TRACT A, "MARGATE DISTRICT HEADQUARTERS", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 88, PAGE 14, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA  
**PETITIONER:** BILL PFEFFER, PE, BOWMAN CONSULTING, AGENT FOR MEDALIST RESTAURANT GROUP, LLC

### Development Services Department

901 NW 66<sup>th</sup> Avenue, Margate, FL 33063 • Phone: (954) 979-6213  
[www.margatefl.com](http://www.margatefl.com) • [dsd@margatefl.com](mailto:dsd@margatefl.com)

Mr. Justin Thompson, Civil Engineer with Bowman Consulting introduced himself and gave an overview of the project. He stated that they are proposing a four-thousand (4,000) sq. ft. Culver's Restaurant with a future retail location. Mr. Thompson mentioned the ongoing drainage issue from Wawa, that will be incorporated in this project.

**DRC Comments:**

Richard Nixon asked if the drainage issue will be resolved prior to permitting? Mr. Thompson answered "yes", stating that they are working on a separate permit process, in which they are expecting approval with next submittal.

Kevin Wilson has no comment.

Dan Topp gave a list of the following landscape comments:

- Show percentage of native trees on the Landscape Requirements Chart per 23-5 (A)(1) of the Margate Code of Ordinances.
- Wire stakes are prohibited per 23-5 (B)(4).
- Show on the Landscape Requirements Chart compliance with the requirement for Category 2 trees every 18 lineal feet under power lines along Copans Road per 23-6 (B)(1). Distance between trees may not exceed 18 feet. Some trees far exceed this dimension.
- Change scale shown on LA-1 to 1 in. = 20 ft.
- Show on the Landscape Requirements Chart compliance with the requirements of 23-8 for interior landscaping required per each parking space. Show trees to remain and trees provided. Also, show canopy to be removed versus new trees.
- Please see 23-5 for required heights for categories of trees. Some specifications are below code requirements.
- South property line is shown twice on the Landscape Requirements Chart. On the south and west perimeters sod may not exceed 30 percent of total ground cover per 23-7(A)(1).
- Show parking lot lights on landscape plan.

Abidemi Ajayi gave the following comments:

- The drainage for Wawa will need to be signed off prior to Engineering sign-off for DRC approval, and the drainage calculations will need to reflect what is existing.
- Need Broward County approvals for ERP and Surface Water, as well as DOT permit.
- Sheet C-7 the underground storage shows area vs. volume, the volume being shown will need to reflect the correct volume.
- Sheet C-3 shows the storm water man-hole as sanitary, you will need to correct. Sheet C-8 will need to show the additional lanes as a drive-through.
- Sheet C-10, need to check elevations of catch basin along with elevation of asphalt or grass around.
- Section DD does not match the site plan
- Sheet C-14 show existing facilities and show the water main being continued and looped
- Show location of hydrant.

- Remove detail W-3, which conflicts with another detail on the plan.
- Impact fees will apply, police, fire, water and sewer; paid prior to issuance of building permit.
- Proposal of tree removal (trees 1,6,11,13,19,23,26,27,30,31 and 33) not replaced on a ratio of 1:1, but replaced by value.
- Must retain all drainage water that falls on the property
- Maximum slope allowed is 421

Steve Wherry, representing Culver's Restaurant, asked for clarification of issuance of (Wawa) drainage permit prior to issuance of site plan approval. Mr. Ajayi answered that the drainage permit will need to be resolved prior to Engineering approval.

Diana Scarpetta stated that the property is located within the CRA boundaries and explained that there is a business incentive grant available for new businesses.

Sgt. Anthony Sclafani, had no comment.

Richard Nixon wanted to clarify that the site plan for the entire site, which includes Wawa's drainage will need to be addressed prior to sign-off.

Andrew Pinney started by welcoming Mr. Pierce and his development to the City. He then mentioned Ordinance 2018-1500.645 which adds flexibility to building size and placement on a property. He mentioned Section 3.11 of the Zoning Code which requires a subdivision resurvey to be processed and reviewed through the city, with a parcel less than five (5) acres of commercial property. Mr. Pinney said that the subdivision now raises a couple of legal questions, because of the Wawa project and the monument signs located on the parcel. He explained that when the sign was originally permitted it was one parcel but now it is two parcels. Now, with Culver's name on the monument sign it will now be considered an off-premise sign, in addition there are issues with landscape requirements and buffers. He explained that the City will require an agreement or easement to waive the buffer requirement for the driveways. Mr. Pinney then went on to give a list of the following comments:

- Sheet C-2 has a labeling issue with the sewer lines
- Sheet C-3 does not show the manhole symbol along the curb of the Copans Road driveway; and at the top of the sheet there is a short pipe with two catch basins that does not seem to be tied into anything, please add a note to clarify.
- Update the legend to note boundary for the demolition area.
- Need to label existing catch basin.
- Sheet C-4 need details on trees to remain.
- On subdivision, just inside the Wawa side, there is a note for a proposed curb inlet, will need to have consent to block off for construction.
- Sheet 7-Site Plan, on the NW 55<sup>th</sup> Avenue driveway, will need to address the confusion of vehicle navigation. It is shown as a 32-foot wide drive feeding into a 24-foot wide drive aisle.
- The location of the proposed transformer is at the same location of the outlet for the drive-through, which is a concern for visibility issues. Staff is proposing to shift the location further west into the property. Will then need to extend the FPL easement.
- The storefront sidewalk with pedestrian zone that crosses the drive aisle and ties into the Wawa sidewalk needs to maintain an 8-foot width all the way across. Will also need to open up the hatch walkway leading to the parking lot on the south, needs to maintain 8-feet all the way through.
- Show directional signage on the site plan.
- Notate the angle of the parking spaces in the south parking area.

- Specified in 9.12 of the Zoning Code, will need to accommodate bike racks on the property.
- Delineate the boundaries of the outdoor seating on the east side of the property.
- Sheet C-8 has a missing label in the northwest corner and has arrows that is not lined up with symbols.
- Sheet C-9 detail for handicap parking fine amount will need to be displayed with a minimum of two (2) inch numbers.
- Detail of dumpster and monument sign required.
- Floor Plan, outdoor seating doorway will need to be addressed.

Mr. Eric Pierce, Owner/Operator, Culver's, explained the history of side door which has access to outdoor patio. He stated that this plan is a prototype plan and they may not be putting that door in.

Mr. Pinney continued with his comments:

- Sheet A-5 elevations will need an approved color palette, the colors selected are not consistent with the City's color palette. Will also need to notate the shade of blue for the roof trim and awnings.
- Photometric plans will need to be addressed. There are a number of areas in the parking lot that fall below the threshold.

Mr. Pinney asked for clarification of the hours of operation. Mr. Pierce responded the hours will be 10:00 am – 10:00 pm Sunday – Thursday and will be open until 11:00 am on Friday and Saturday. Mr. Pinney stated that it will be light level 2 and will need to be a minimum of 2.0-foot candles, with the uniformity ratio not to exceed 10-1. Will need to add a fixture detail to the sheet to verify that it is a fully shielded fixture.

Mr. Pinney continued with his comments asking that the landscape be removed from the plan which is the proposed future retail site just west of the Culver's site. Mr. Pierce responded that they are not going to do the retail space right away, and that their plan is to trim the west side of the building off and to utilize it as a green lawn area.

Mr. Pinney continued with the following comments:

- Sheet LA-3, Irrigation Plan, will need to clarify legend to notate the label at the drive-through window. In addition will need to thin out symbols that are not being used.
- Show the location of the rain sensor in the irrigation plan.
- Sheet LA-4 details are shown for equipment not being used.
- Survey, showing a note for driveway parcel with a Broward records instrument number, will need to verify.

Mr. Pinney asked the petitioner to resolve the issues prior to moving forward and to resubmit the plans with the corrections.

*ID 2018-542*

- 1A) **DRC NO. 10-18-02** CONSIDERATION OF A SPECIAL EXCEPTION USE TO PERMIT DRIVE-THROUGH FACILITIES AS PART OF THE CONSTRUCTION OF A 4,443 SQUARE FOOT CULVER'S RESTAURANT  
**LOCATION:** 5510 WEST COPANS ROAD  
**ZONING:** TOC-G GATEWAY

**LEGAL DESCRIPTION:** A PORTION OF TRACT A, "MARGATE DISTRICT HEADQUARTERS", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 88, PAGE 14, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA  
**PETITIONER:** BILL PFEFFER, PE, BOWMAN CONSULTING, AGENT FOR MEDALIST RESTAURANT GROUP, LLC

**DRC Comments:**

Richard Nixon, no comment.

Kevin Wilson, has no objections.

Dan Topp, no comment.

Dianna Scarpetta, no comment.

Abidemi Ajayi, no comment.

Sgt. Anthony Sclafani, no comment.

Andrew Pinney made the following comments

- Traffic Study will need to address level of service on the adjacent roadway network.
- Criteria "C" on Justification statement, will need to be submitted.
- Criteria "E" needs to be revised with more information.
- Criteria "J" needs an analysis to explain how the policies are being met.

Mr. Pinney then stated that this item will remain on hold, explaining that the special exception is based on approval of the site plan.

Mr. Pierce asked for clarification of the monument signs.

Mr. Pinney answered that by subdividing the property it is now considered an off-premises sign and according to Section 39.17 Of the Sign Code which prohibits off-premises signs. He stated that it will need to be addressed through a sign waiver.

3) **GENERAL DISCUSSION**

*No comments from the board.*

There being no further business, the meeting was adjourned at 10:52 AM

Respectfully submitted,

Prepared by Melissa M. Miller

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Andrew Pinney  
Senior Planner, Development Services Department

Date: \_\_\_\_\_