



### City Commission

Mayor Anthony N. Caggiano  
Vice Mayor Tommy Ruzzano  
Antonio V. Arserio  
Arlene R. Schwartz  
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, December 11, 2018**

**10:00 AM**

City of Margate  
Municipal Building

### PRESENT:

Robert Massarelli, Director of Development Services  
Andrew Pinney, Senior Planner  
Tom Vaughn, Chief Plumbing Inspector  
Diana Scarpetta, CRA Project Specialist  
Lt. Ashley McCarthy, Police Department  
Kevin Wilson, Fire Inspector  
Dan Topp, Community Development Inspector  
Alberto Torres-Soto, Senior Engineer, DEES

### ALSO PRESENT:

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, December 11, 2018, in the City Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, FL 33063.

### 1) NEW BUSINESS

*ID 2018-639*

- 1A) **DRC NO. 12-18-01** CONSIDERATION OF A SITE PLAN AMENDMENT TO MODIFY THE LANDSCAPE PLAN FOR CUMBERLAND FARMS.

**LOCATION:** 5485 WEST ATLANTIC BOULEVARD

**ZONING:** TOC-C

**LEGAL DESCRIPTION:** A PORTION OF TRACT "A", "LAKEWOOD COMMERCIAL", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 120, PAGE 27, AND A PORTION OF "MARGATE REALTY NO.1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 42, PAGE 42, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

**PETITIONER:** MIKE TROXELL, THOMAS ENGINEERING GROUP, LLC, AGENT FOR LAKEWOOD RETAIL, LLC

Mr. Mike Troxell, Thomas Engineering introduced himself to the board and gave a brief explanation of the ongoing construction at the Cumberland Farms located on 5485 Atlantic Boulevard. He explained that the availability of the trees, both

### 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)

in size and height specified on the plan became a problem in obtaining. He said that he is asking for a reduction in size in order to obtain from a local area nursery. He then introduced Mr. Mike Grosswirth to go over in more detail the request being made.

Mr. Mike Grosswirth stated that there are two (2) species of trees, the pink trumpet and the slash pine, which are slightly smaller than originally specified. He stated that the trees are intermixed through-out the property, with most of them at the perimeter. He stated that they are good quality trees, however they are slightly smaller than what they originally expected.

### **DRC Comments:**

Tom Vaughn, had no comment.

Kevin Wilson, had no comment.

Dan Topp, commented that there is one code violation, a clusia hedge which is along the pedestrian access from Atlantic to the main plaza, it is more than halfway across the sidewalk.

Andrew Pinney, commented that Cumberland Farms was approved by the City Commission as a Special Exception, in which the landscape plan served as an exhibit to the exception and according to Section 31-54(i) of the Margate Code of Ordinances allows for minor changes to the site plan if approved by the DRC. He said that he checked the planting list and although there is some reduction in size, they are still above the minimum sizes required. Mr. Pinney stated that he has no objection approving this modification.

Diana Scarpetta, had no comment.

Alberto Torres, had no comment.

Ashley McCarthy, had no comment.

Robert Massarelli, stated that his concern is that some of the shrubs do not meet the minimum requirement, primarily at Atlantic Boulevard. He said that it is not meeting the requirement per the plan as to what has been installed. Mr. Massarelli asked since the plan is not going to be modified will this be addressed by replacing them with 24 inch shrubs? Mr. Grosswirth responded that this will be the way to go. Mr. Massarelli stated that with addressing that issue the DRC has no issue with the proposed amendment and will approve by consensus.

*ID 2018-652*

- 1A) **DRC NO. 12-18-02** CONSIDERATION OF A SUBDIVISION RESURVEY  
**LOCATION:** 2000 NORTH STATE ROAD 7  
**ZONING:** TOC-G  
**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:** JUSTIN THOMPSON, P.E. AGENT FOR TVC MARGATE CO, LLC

Mr. Byron Reynolds a representative for Justin Thompson introduced himself and gave a brief explanation of the subdivision resurvey. He stated that the parcel is located to the east of Wawa.

**DRC Comments:**

Tom Vaughn, had no comment.

Kevin Wilson, had no comment.

Dan Topp, had no comment.

Andrew Pinney, had the following comments:

- Add title to the survey along with a brief description underneath the title to state the following: "A Subdivision Resurvey of a portion of Margate District Headquarters (plat book 88, page 14, Broward County Records) Section 30, Township 48 S, Range 42 E, City of Margate, Broward County, Florida.
- Add signature blocks for the Mayor, City Clerk, City Engineer, Planning and Zoning Board, and the Surveyor
- Notate easements or encumbrances on the property, such as: utility, drainage, cross access, and FPL easements.
- Monument signs will now need to be addressed as off-premises signs, prior to Culver getting their name on those signs.

Diana Scarpetta, had no comment.

Alberto Torres, had the following comment:

- Maintenance agreement for drainage will need to be recorded for the new subdivision.

Ashley McCarthy, had no comment.

Robert Massarelli, asked for the status of the drainage plans and has this been resolved? Mr. Reynolds responded that the system is being connected and the surface water license will provide approval contingent upon the RLA Agreement through the County. He explained that a hearing is scheduled for this month and if approved the surface water license will then be issued. Mr. Massarelli asked what the conceptual design is. Mr. Reynolds responded that he did not bring plans with him, however he explained that the system on the Wawa side will come over into the Culver's tank system. He said that once the water quality is taken care of it will go through that system and then to the main lake in the back. Mr. Torres commented that the Wawa drainage is a retention pond and that Culver's is planning to modify but has not been approved by the County yet. Mr. Reynold's confirmed that it has not been approved. Mr. Massarelli went on to mention the survey and the details of the easements which gives him great concern, because it could affect the site plan. He then confirmed with Mr. Torres to hold off approval pending all easements. Mr. Torres responded that they have to be in place prior to the next round due to the uniqueness of this parcel. Mr. Reynold's asked if prior to approval does this need to be recorded or would the sketch and legals prepared be sufficient? Mr. Torres commented that a maintenance agreement will need to be developed for the drainage and it has to be recorded as part of the modification for the subdivision.

Mr. Massarelli stated that staff is requesting both the easements and maintenance agreement. He also stated that the drainage is the responsibility of the owner and not the City. He said that Engineering will need to look at the easements and the legal documents. Mr. Massarelli said that as soon as the County approvals are received and it has been recorded it can be scheduled for a future DRC meeting for final approval.

## **2) GENERAL DISCUSSION**

Mr. Massarelli wanted to discuss the procedures stating that code provides that in the development review each department has specific things that they need to be responding to. He said that the comment of "no comment" is not adequate. He stated that he will be sending out a memo with a detail of what each department needs to be looking at and have an affirmative action on each one of those items. Mr. Massarelli then commented for everyone to have a good holiday.

There being no further business, the meeting was adjourned at 10:20 AM

Respectfully submitted,

Prepared by Melissa M. Miller

---

Robert Massarelli  
Director of Development Services

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