



## STAFF REPORT DEVELOPMENT SERVICES DEPARTMENT

**Project Name:** Culver's Restaurant  
**Applicant:** Medalist Restaurant Group  
**Project Location:** 5510 W Copans Road  
**Application:** Subdivision Resurvey

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### I. RECOMMENDATION:

**APPROVE**

APPROVE WITH CONDITIONS

DENY

TABLE

### II. EXECUTIVE SUMMARY:

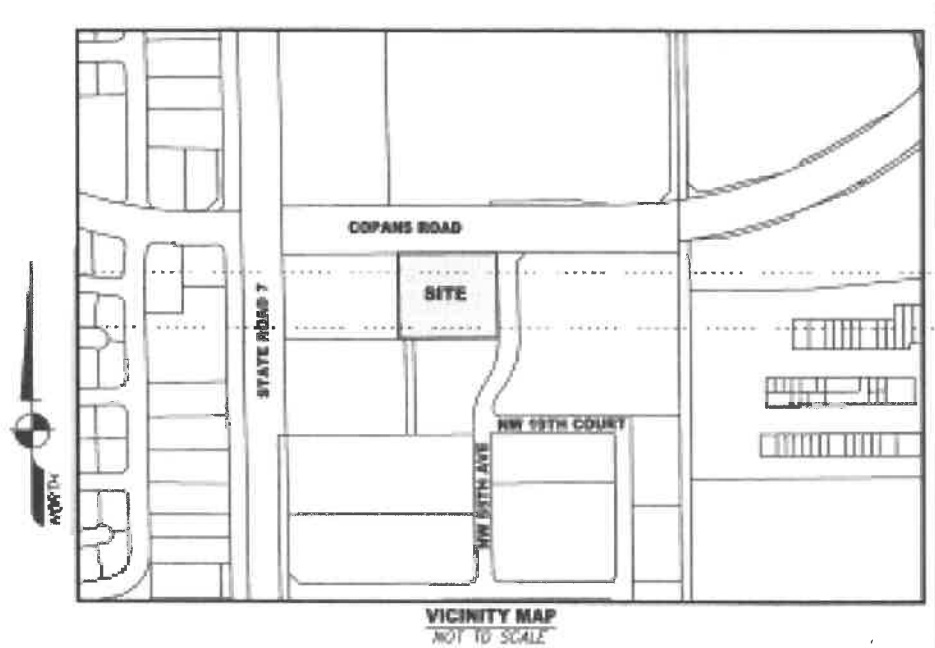
Applicant has requested creation of a new ~1.68 acre parcel within the Margate District Headquarters Plat (88-14) for the purpose of building a new Culver's restaurant and future retail building. Staff recommends approval of this subdivision resurvey.

### III. ANALYSIS:

#### 1) Description.

This section of the staff report provides a detailed description of the application. The subject property is located within the TOC-G Gateway zoning district, has an underlying land use designation of Transit Oriented Corridor, and is located within the Margate CRA boundary. The property was formerly used as a parking lot for a large office building, and is currently undergoing drainage improvements related to an adjacent Wawa hybrid convenience market, located at 2000 North State Road 7.

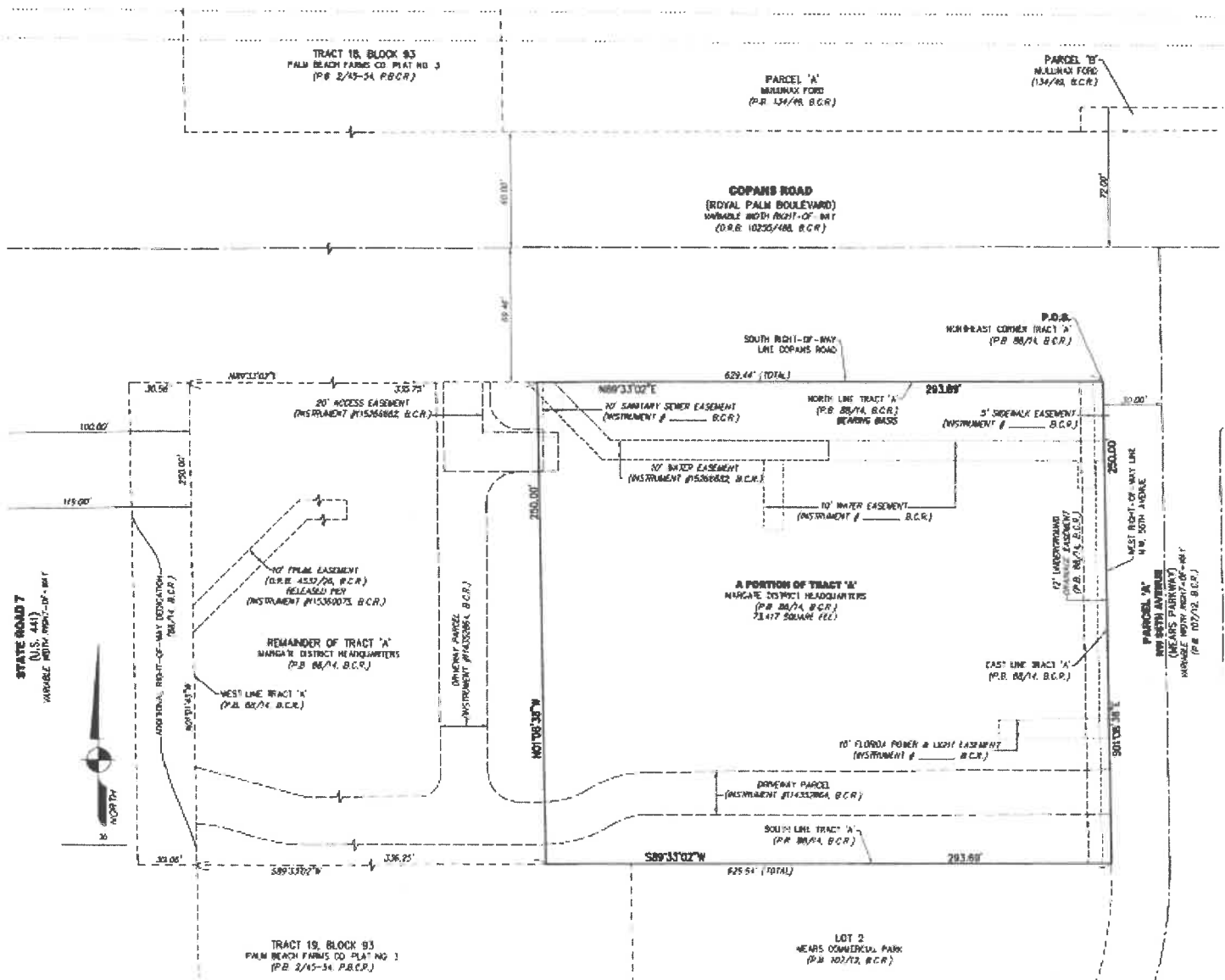
Applicant is proposing to create a 1.68 acre parcel for the purpose of building a 4,443 square foot restaurant and a future retail building of up to 4,000 square feet. The applicant is subdividing the Margate District Headquarters Plat, and creating a parcel that consists of the east half of the property. The parcel will be located at the Southwest corner of West Copans Road and Northwest 55<sup>th</sup> Avenue, and currently has an assign address of 5510 West Copans Road. A detailed metes and bounds legal description has been provided by the applicant. The new parcel will offer connectivity to the existing Wawa hybrid market located on the western half of Margate District Headquarters Plat. No new driveway connections are proposed. No new right-of-way dedications are proposed. Below are pictures of a vicinity map, an aerial photo of the subject property, and the sketch of the new parcel.





## CULVER

A SUBDIVISION RESURVEY OF A PORTION OF MARGATE  
 DISTRICT HEADQUARTERS (P.B. 88, PG. 14, B.C.R.)  
 SECTION 30, TOWNSHIP 48 SOUTH, RANGE 42 EAST;  
 CITY OF MARGATE, BROWARD COUNTY, FLORIDA.



### 2) Compliance.

This section of the staff report provides an in-depth analysis of how well the applicant addressed the applicable subdivision requirements. Section 3.11 of the Margate Zoning Code provides that when any lot, tract, or other parcel of land, however designated, which is part of a subdivision recorded in the official records of Broward County after May 30, 1955, and which has been approved by the City Commission of the City of Margate, is further subdivided or resubdivided for the purpose of

development, applicant must submit a subdivision resurvey, which must be approved prior to any development permit being issued for the project.

Section 31-17 of the Margate Code of Ordinances provides the following definition of “subdivision.”

“Subdivision: The division of land into two (2) or more lots or parcels for purpose of transfer of ownership or development, or if a new street is involved, any division of a parcel of land.”

Section 31-33 of the Margate Code of Ordinances provides the following definition of “development permit.”

“Development Permit means any building permit, as defined herein, subdivision resurvey or plat approval, rezoning, special exception, or other official action of the City having the effect of permitting the development or redevelopment of land. This does not include any variance or other official action necessary solely for the purpose of issuing a permit, other than a building, pursuant to the South Florida Building Code, or other building code in effect at the time.”

Section 3.11 of the Margate Zoning Code provides the technical requirements of a subdivision resurvey by referencing Sections 31-18 and 31-19(A) through (E) of the Margate Code of Ordinances. Section 31-18 provides requirements for the sketch of the subdivision, and Section 31-19 provides requirements for the layout of new subdivisions. This subdivision is located within in an area of the City that has already been developed and does not propose or require any new publicly dedicated rights-of-way. This subdivision resurvey is creating one non-residential parcel which exceeds the minimum plot size of 10,000 square feet for the TOC-G Gateway zoning district. The parcel has a cross access and drainage easement with the adjacent parcel that is home to Wawa hybrid market.

### 3) **Consistency.**

This section of the staff report identifies applicable policies from the Margate Comprehensive Plan and provides an analysis as to whether the application satisfies those policies. The Margate Comprehensive Plan offers limited guidance on the review of subdivision resurveys, other than to ensure that land development regulations for platting and subdivision resurveys exist and to ensure that required capital improvements are available at the time new development is built. This project is non-residential, and located in an area that is already serviced by streets and utilities, so there are no required capital improvements linked to this application. Below are two policies that apply to subdivision resurvey applications:

**“Policy 1.1** Land use regulations shall contain specific and detailed provisions required to implement this Comprehensive Plan, and which as a minimum:

a. Regulate the subdivision and re-subdivision of parcels”

**“Policy 1.12** Subdivision regulations shall provide for both the timely completion and regular maintenance of all required capital improvements and amenities.”

The regulations described in the two comprehensive plan policies above exist and are provided in Section 3.11 of the Margate Zoning Code and Chapter 31 of the Margate Code of Ordinances. Those regulations have been referenced above in 'Section III Analysis, (2) Compliance' of this staff report.

#### **4) Compatibility.**

This section of the staff report describes the compatibility of the proposed use with the surrounding area. Staff finds this project compatible with the selected location. The proposed uses as a restaurant and retail building are permitted within the TOC-G Gateway zoning district without limitation on the size or intensity of those uses.

The subject property is located within the TOC-G Gateway zoning district, as well as the adjacent Wawa hybrid market to the west. Across Copans Road to the north, the Arrigo Dodge Chrysler auto dealership is located in the TOC-G Gateway and the Autonation Ford auto dealership is located in the M-1 Light Industrial zoning district. Property to the east, across NW 55<sup>th</sup> Avenue, has been developed as industrial warehousing and is located within the M-1 Light Industrial zoning district. Properties to the south have been developed as an AMF Margate Lanes bowling alley and as commercial warehousing, both of which are located within the TOC-C Corridor zoning district. Staff did not identify any sensitive lands or uses which would present a compatibility concern. Below is an aerial photo showing the surrounding properties with corporate logos.





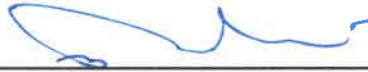
#### IV. RATIONALE:

The City Commission may consider approving this application for subdivision resurvey because the applicant has satisfied all of the requirements provided by the Margate Code of Ordinances, and therefore staff recommends approval of the subdivision resurvey.

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April 25, 2019

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