



CITY OF MARGATE

DEVELOPMENT REVIEW COMMITTEE (DRC) REVIEW #1

November 10, 2020

PROJECT NAME:	First Gate Commerce Center		
PROJECT NUMBER:	2020-368		
LOCATION:	NW Corner of Copans Rd & Banks Rd		
APPLICANT/AGENT:	Michael Gai, Sun-Tech Engineering agent for Chris Willson		
REVIEW/APPLICATION	Subdivision Resurvey		
DISCIPLINE	REVIEWER	EMAIL	TELEPHONE
DRC Chairman	Elizabeth Taschereau – Director	etaschereau@margatefl.com	(954) 884-3686
Planning	Andrew Pinney – Senior Planner	apinney@margatefl.com	(954) 884-3684
Planning	Alexia Howald – Associate Planner	ahowald@margatefl.com	(954) 884-3685
Building	Richard Nixon – Building Official	rnixon@margatefl.com	(954) 970-3004
Engineering	Pedro Stiassni – Engineer	pstiassni@margatefl.com	(954) 884-3635
Fire	David Scholl – Fire Department	dscholl@margatefl.com	(954) 971-7010
Public Works	Mark Collins – Director	mcollins@margatefl.com	(954) 728-5515
CRA	Vacant		
Police	Lt. Ashley McCarthy – Police Department	amccarthy@margatefl.com	(954) 972-1232

Below, you will find staff comments:

DEPARTMENTAL COMMENTS

BUILDING

1. No comment.

FIRE

1. No comment.

POLICE

1. No comment.

PUBLIC WORKS

1. No comment.

Applicant is required to address **EACH** comment and to revise plans accordingly (*acknowledgements are not corrections*).

D.E.E.S.\ Engineering Review

The Director of the Department of Environmental and Engineering Services, or his qualified designee, has conducted a review of the submitted documentation in accordance with 31-35 (2), 31-37, and other relevant sections of the City's Code of Ordinances and finds the following:

A. AVAILABILITY OF POTABLE WATER

Potable water service is available to serve the needs of the proposed development. The water treatment plant has sufficient available capacity to satisfy the potable water needs of the proposed development as well as those of other developments in the service area which are occupied; available for occupancy; hold active, valid building permits; or have already reserved capacity.

Please note that this determination shall not be construed as a reservation of capacity for the development unless a developer's agreement has been executed with the City specifically reserving water treatment capacity.

B. AVAILABILITY OF WASTEWATER TREATMENT AND DISPOSAL SERVICES

Wastewater treatment and disposal service is available to serve the needs of the proposed development. The wastewater treatment plant has sufficient available capacity to satisfy the wastewater treatment and disposal needs of the proposed development as well as those of other developments in the service area which are occupied; available for occupancy; hold active, valid building permits; or have already reserved capacity.

Please note that this determination shall not be construed as a reservation of capacity for the development unless a developer's agreement has been executed with the City specifically reserving wastewater treatment and disposal capacity.

C. TRAFFIC IMPACTS

Traffic impacts have not been evaluated, as no traffic impact statement was provided with this application.

D. SURFACE WATER MANAGEMENT

This project is a re-plat or resurvey of the property. No plans for improvements are provided with the application. Accordingly, the adequacy of rights-of-way and

easements for a surface water management system cannot be evaluated or assessed at this time, with the information provided.

E. STREETS, SIDEWALKS, PUBLIC PLACES

The engineering design of streets, sidewalks, and other public places abutting or serving this property appear to be “existing to remain”. They appear to be in good condition and do not appear to be in distress. To the best of our knowledge and understanding, these public improvements were previously constructed under permits from the City. Accordingly, they are deemed to meet the minimum standards set forth in Chapters 31 and 35 of this Code.

F. WATER DISTRIBUTION SYSTEM

To the best of our knowledge and understanding, the water distribution system meets or exceeds the minimum standards and requirements of the following:

1. Chapter 39 of the City’s Code of Ordinances
2. AWWA Standards
3. Broward County Environmental Protection and Growth Management Division

Connection charges and/or impact fees will be determined during review of the engineering permit.

G. WASTEWATER COLLECTION AND TRANSMISSION SYSTEM

To the best of our knowledge and understanding, the wastewater collection and transmission system meets or exceeds the minimum standards and requirements of the following:

1. Chapter 39 of the City’s Code of Ordinances
2. AWWA Standards
3. Broward County Environmental Protection and Growth Management Division

H. GENERAL

1. Application

- a. No issues.

2. Cover Sheet

- a. Please correct the City Engineer name.

3. E.R.C.’s and Connection Charges

No E.R.C.s have been paid for the subject property at 5355 W. Copans Road. Per Code Sec. 39-73. - Connection charges, paragraph (c), “Either upon initial connection to the system, or upon each change of type or expansion of occupancy, or type of use, or nature of business, all nonresidential users, including commercial

and industrial users and public facilities, shall have their E.R.C. value redetermined based on the actual measured and recorded water consumption.”

The anticipated use, and the resultant connection charges shall be determined during the engineering permit process, with the actual use determined within a year after initial connection to the system and when the facility reaches the degree of occupancy, activity, or use that allows for the accurate measurement of maximum expected water consumption (as determined by the city).

The actual measured water consumption shall be used as the basis for redetermining the E.R.C. value as follows: The maximum monthly flow for a previous one-year period (converted to a daily flow value in gallons per day) shall be divided by three-hundred thirty-five (335) gallons per day per E.R.C. to derive the redetermined E.R.C. value, which shall be calculated to the nearest one-hundredth (0.01) ERC.

One E.R.C. is equal to Water and Wastewater = \$1,790.00 + \$1,920.00 = \$3,710.00

Please provide a response letter identifying how and where (what document, page, etc.) you have addressed each comment.

DEVELOPMENT SERVICES

COMMENT 1: This application is for a subdivision resurvey and is therefore subject to the requirements of Chapter 31 of the Code of the City of Margate.

Sec. 31-33. - Definitions.

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 permit, pursuant to the South Florida Building Code, or other building code in force and effect at the time.

Sec. 31-35. - Determinations required prior to approval of a development permit.

A determination that adequate services will be available to serve the needs of the proposed development shall be made when the following conditions are met:

(1) *Director of development services.* The director of development services determines:

- a. That the proposed development is consistent with the Margate Comprehensive Plan.
- b. That the proposed development is in conformity with the Margate Zoning Code.
- c. In the case of site plans, that the proposed development is in conformity with the provisions of chapter 23 of this Code.

Sec. 31-37. - Development presumed to have maximum impact permitted; use of site plan to assess maximum impact.

(a) For the purpose of implementing sections [31-34](#), [31-35](#), and [31-36](#), a proposed development shall be presumed to have the maximum impact permitted under applicable land development regulations such as zoning regulations and the land use element of the Margate Comprehensive Plan.

(b) If a site plan is presented when a proposed plat, subdivision resurvey or rezoning application is submitted, it *may* be used as the basis to assess the maximum impact of the development. In the event that an application for a building permit is submitted which, in the opinion of the building official, provides more intensive uses than those indicated on the site plan or substantially deviates from the approved site plan, the application shall be referred to the development review committee for assessment.

Based on the above three Code sections, Development Services staff must compare the application to the adequacy determinations described in Section 31-35 of the Code of the City of Margate under the presumption that the proposed subdivision resurvey will have maximum impact under the applicable land development regulations and the land use element of the Margate Comprehensive Plan. A site plan application was submitted concurrently with this subdivision resurvey application and the Code allows staff to use it as the basis to assess maximum impact of the development.

Subject Property:

The subject property is a ~ 9.3-acre site located within an existing 29.491-acre plat. The site of the subject property is largely unimproved green field. The subject property is bounded to the north by Northwest 24th Street, bounded to the east by Banks Road, and bounded to the south by Copans Road. An address has not yet been assigned to the subject property. The subject property is located within the M-1 Light Industrial zoning district, and has an underlying land use designation of Transit Oriented Corridor (TOC).

Nature of M-1 District

Section 24.2 of the Margate Zoning Code provides that “The M-1 light industrial district is intended to provide for light manufacturing and heavy commercial uses for large corporations as well as small entrepreneurs in multitenant warehouse space.” The proposed use as a warehouse and distribution center is consistent with this zoning district, and is identified as a permitted use in Section 24.3 of the Margate Zoning Code.

I. CONFORMITY WITH CODE

COMMENT 2: When any lot, tract, or other parcel that has been platted after May 30, 1955 is further subdivided for the purpose of development, an applicant must file a subdivision resurvey application which meets the requirements of Section 31-18 and 31-19(A) through (E) of the Code of the City of Margate. These requirements must be met prior to the issuance of a development permit, per Section 3.11 of the Margate Zoning Code. Applicant seeks to subdivide a portion of Tract A of the Sherman Plat (144-26) in order to create an ~9.3-acre parcel and develop a 131,329 square foot warehouse facility.

Section 3.11. - Subdivision resurvey required.

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, the following requirements shall be met prior to the issuance of a development permit:

- (1) A survey of the subject property, containing all of the applicable information required by [Section 31-18](#) of this Code, shall be prepared by a registered engineer or surveyor.

(2) The proposed parcel(s) shall meet the requirements of [Section 31-19](#)(A) through (E) of this Code as determined by the city commission.

(3) Any land within the parcel that is necessary to comply with the Margate trafficways plan shall be conveyed to the public by deed or grant of easement.

(4) The developer shall submit to the city clerk a performance bond for subdivision improvements and inspection fees as required by [Section 16.3](#) of this appendix.

(5) The developer shall file a reproducible copy of the instrument with the city clerk with payment of filing fee of one hundred dollars (\$100.00) and all recording fees.

The above requirements shall not apply in cases where part of one single-family lot is added to another in order to increase a building site, provided no parcel remains which has less width or depth or contains less area than the minimum established for the district in which it is located.

COMMENT 3: The proposed subdivision resurvey is missing the Mortgagee Approval. This is required per Section 31-18 of the Code of the City of Margate.

COMMENT 4: The proposed subdivision resurvey does not identify adjacent recorded plats, lots, and blocks to the east and to the south. This is required per Section 31-18 of the Code of the City of Margate.

COMMENT 5: The proposed subdivision resurvey is missing the location sketch with section, township, and range. This is required per Section 31-18 of the Code of the City of Margate.

COMMENT 6: Once submitted to the Planning and Zoning Board, this subdivision resurvey must be routed to applicable drainage district for review and comment. This is required per Section 31-18 of the Code of the City of Margate.

COMMENT 7: Please update the date printed on this subdivision resurvey, it currently depicts “(March, 2020)”. The date is required per Section 31-18 of the Code of the City of Margate.

COMMENT 8: The current mayor of the City of Margate is Tommy Ruzzano. [The City Commission will be holding election of mayor on November 18, 2020. This may change.]

COMMENT 9: The current DEES Director (City Engineer) is Curt A. Keyser, P.E.

COMMENT 10: Remove the seal block for “CITY COMMISSION.”

II. CONSISTENCY WITH COMPREHENSIVE PLAN, ELEMENT I

COMMENT 11: Staff finds the application generally consistent with Policy 1.8 and Policy 5.2 of the Margate Comprehensive Plan, Element I, provided that if any concurrency deficiencies which may be found are addressed in a manner consistent with the adopted land development regulations.

Policy 1.8 Facilities and services shall be available concurrent with the impacts of development, while traffic circulation shall meet the level of service standards as specified within the adopted Traffic Circulation Element.

Policy 5.2 Issuance of any development permit shall only be permitted upon finding that:

- a. The proposed development is consistent with the Future Land Use Map and the permitted uses of Policy 1.2 of this Element.
- b. That potable water is available to serve the needs of the proposed development.
- c. That wastewater treatment and disposal service is available to serve the needs of the proposed development.
- d. That fire protection is adequate to serve the needs of the proposed development.
- e. That police protection is adequate to serve the needs of the proposed development.
- f. That floor elevations are at or above the minimum prescribed by the National Flood Insurance Program.
- g. That the traffic generated by, the proposed development will be safely and efficiently, handled by the regional transportation network and local streets.
- h. That a surface water management system meeting or exceeding the design criteria of the South Florida Water Management District are provided by the proposed development.
- i. That, adequate areas for local parks and recreation have been provided to meet the needs of the proposed development.
- j. That the proposed development is consistent with the design criteria specified in Policy 2.6 and elsewhere in the land development regulations of the City of Margate.