



City Commission

Mayor Anthony N. Caggiano
Vice Mayor Tommy Ruzzano
Antonio V. Arserio
Arlene R. Schwartz
Joanne Simone

City Manager

Cale Curtis

Interim City Attorney

Weiss Serota Helfman
Cole & Bierman, P.L.

City Clerk

Joseph J. Kavanagh

REGULAR MEETING OF THE DEVELOPMENT REVIEW COMMITTEE MINUTES

Tuesday, June 11, 2019

10:00 AM

City of Margate
Municipal Building

PRESENT:

Robert Massarelli, Director of Development Services
Andrew Pinney, Senior Planner
Alexia Howald, Associate Planner
Dan Topp, Community Development Inspector
Tom Vaughn, Plumbing Chief
Kevin Kelleher, Fire Inspector
Lt. Ashley McCarthy, Police Department
Pedro Stiassni, Engineer

ABSENT:

Alberto Torres-Soto, Senior Engineer, DEES
Richard Nixon, Building Department Director
Mark Collins, Public Works Director
Kevin Wilson, Fire Inspector

The regular meeting of the Margate Development Review Committee (DRC) having been properly noticed was called to order and a roll call was taken by Robert Massarelli at 10:02 a.m. on Tuesday, June 11, 2019, in the City Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, FL 33063.

1) OLD BUSINESS

ID 2019-311

1A) CONSIDERATION OF A **PLAT AMENDMENT** FOR CENTRAL PARK OF COMMERCE

LOCATION: 5233-5281 COCONUT CREEK PARKWAY

ZONING: TOC-C

LEGAL DESCRIPTION: PORTION OF TRACT "A" CENTRAL PARK OF COMMERCE, ACCORDING TO THE PLAT, AS RECORDED IN PLAT BOOK 119, PAGE 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

PETITIONER: ROBERT CAMBO, ALLIANCE XVI, LLC

Donna West, HSQ Group, introduced herself and gave a brief explanation of the application, stating that it is to modify the non-vehicular access line opening on the remainder portion of the property that is not being re-plated.

Development Services Department

901 NW 66th Avenue, Margate, FL 33063 • Phone: (954) 979-6213

www.margatefl.com • dsd@margatefl.com

DRC Comments:

Tom Vaughn, has no objections.

Kevin Kelleher, has no objections.

Dan Topp, has no objections.

Andrew Pinney, commented that this is related to the Marquesa Development to eliminate a conflict with the driveways. He said that as this moves forward and if everything is approved as-is beyond removing the non-vehicular access line, staff is asking to close the driveway and return the curb to match existing conditions. Mr. Pinney stated that other than that it all looks good.

Pedro Stiassni, commented to include all easements and encumbrances on the plans.

Ashley McCarthy, commented that she has no objections.

Robert Massarelli, commented that there are no objections on behalf of the CRA. He then asked Mr. Pinney if the Marquesa project did not move forward would this amendment be necessary? Mr. Pinney responded that he does not believe that this will be required if the applicant decides to pull out of the project. Mr. Massarelli discussed the procedure process moving forward. Mr. Pinney agreed that it would be best for the board to review this together with the Marquesa project. Mr. Massarelli stated that the site plan for this property has been submitted, which is currently being reviewed. He then said that hearing no objections the recommendation of the DRC would be to move forward to the Planning and Zoning Board with a recommendation of approval.

2) NEW BUSINESS

ID 2019-271

- 2A) CONSIDERATION OF A **CHANGE OF OCCUPANCY** FROM MERCANTILE TO ASSEMBLY FOR AN INDOOR SWIM SCHOOL WITHIN THE PEPPERTREE PLAZA

LOCATION: 5400 – 5596 WEST SAMPLE ROAD

ZONING: TOC-G TRANSIT ORIENTED CORRIDOR-GATEWAY

LEGAL DESCRIPTION:

PETITIONER: CHRIS COLLINS, URBN DESIGN, AGENT FOR PEPPERTREE PLAZA, LLC

Mr. Chris Collins, URBN Design, introduced himself and explained the proposed change of uses. He then clarified the location which was incorrect on the site plan which was previously submitted.

DRC Comments:

Tom Vaughn, stated that he has no objections, reminding the petitioner to submit plans and permits to the Building Department.

Kevin Kelleher, has no objections.

Dan Topp, commented that he inspects the site for any code violations. He stated that there are a number of dumpsters that are not in their enclosures, and there is debris as well as large

tires. He gave the locations as 5686, 5632, and 5624. He then stated that there is a storage container which will require a permit.

Mr. Pinney commented that there is a gym called Hard Exercise Works which may be responsible for these items as part of their fitness equipment. He said that the outside storage is a special exception in this zoning district. He stated that the trailer is prohibited and will need to be addressed. He then referred to the photometric plan, stating that there are no issues for light level two, however there is a requirement prior to the issuance of the certification of occupancy for an inspection, test, and certification by a design professional on how it is designed to meet code. Mr. Pinney referred to sheet LP1 on the landscape plan, the code compliance chart which has inconsistencies; where it cites Chapter 12 ½ it should read Chapter 23, where it referenced the minimum size of a tree as ten-feet tall it should read twelve-feet tall, remove canopy area comment, and a calculation needs to be added for requirements of 23-7. He stated that the landscape plan is missing the irrigation plan, which will need to be submitted and reviewed. He said that the irrigation plan must utilize a rain sensor. Mr. Collins asked if a letter from the landscape company that currently maintains the landscape and irrigation would be acceptable to submit? Mr. Pinney replied that the code requires a plan to be submitted with every DRC application for change of occupancy. He then commented on the parking calculation on the site plan, stating that the calculation should be based on the new parking requirements referenced in Section 33.3 for those assembly uses. Mr. Collins mentioned a previous meeting with a tenant in which they were told the new code would apply to them but the other existing assembly uses were grandfathered in at the previous code. Mr. Pinney said that he will look into this and get back with him with an answer.

Pedro Stiassni commented that when submitting building permit plans be sure to show all the water and sewer connections. Mr. Collins asked if this was a requirement for building permit or is this a requirement for the change of use. Mr. Massarelli stated that the issue with this plaza is that there are water lines and possibly sewer lines which are not in easements, and this will need to be cleaned up for the City to have access to those lines in case of needed replacement or repairs. He then suggested to verify if there was a blanket easement for the property. Mr. Stiassni stated that staff has not heard a response from the owner. Mr. Massarelli stated that this issue will need to be resolved and this is the time where it has the least impact on the potential tenant. Mr. Collins clarified that the issue is with the existing utilities that are not within easements throughout the property; and an evaluation of the survey as well as sketch, legals, etc...? Mr. Massarelli again mentioned a blanket easement, stating that it is required to identify all the utilities on the property and then assign an easement or a blanket easement. He suggested speaking with the DEES Director to discuss this further.

Mr. Stiassni continued with the following comments:

- In order to calculate impact fees for new use, will need size of water meter(s). If changing meter's size, a new fee shall be applicable.
- Connection charges. (Sec. 39-73. Table 3) apply; to calculate the new ERCs, we need to know the maximum number of Club Members.
- Broward County Health Department plans need to match plans submitted to the City of Margate.

Ashley McCarthy had no comment.

Robert Massarelli asked Mr. Pinney what the change in parking requirements are for retail. Mr. Pinney responded that in the TOC Districts, retail and personal service shops shall provide a minimum of three parking spaces for every one-thousand square-feet of non-storage area. Mr.

Massarelli then stated that on behalf of the CRA he has no comment. He then continued his comments as Development Services Director asking the board that based on the comments will the requirements for irrigation hold up moving forward on this application? Mr. Collins requested the condition of submittal for the irrigation plan to be provided at time of building permit application? Mr. Pinney directed this question of the Building Department. Mr. Vaughn responded that if there is no modification to the irrigation he does not see why a plan would be submitted with the application. Mr. Massarelli suggested to make it conditional upon prior to application of building permit to submit an irrigation plan to the Development Services Department. Mr. Pinney agreed to submit prior to permitting. Mr. Massarelli gave the application for building permit conditional upon the submittal of the irrigation plan to the Development Services Department, to be circulated and reviewed for any issues. He then commented that the petitioner is on notice for the impact fees and recommends meeting with DEES in regards to the easements, stating that this will need to be resolved prior to building permit. Mr. Massarelli stated that the application for change of use is approved based upon comments and conditions stated previously in regards to the landscape plan, irrigation plan and the easement.

Mr. Collins stated he will correct the maintenance issues as mentioned and email pictures to the department for a re-inspection.


Mr. Pinney asked if the landlord would be willing to assist the tenant in the gym, stating that besides the tires there is an issue with a path through the perimeter landscape area, when going out for runs. He suggested paving a connection for a safe crossing point through the parking lot. Mr. Collins stated that he will look into this.

Mr. Collins then mentioned the tire issue, asking if it is okay for the outside use, and then to be stored inside. Mr. Kelleher commented that there may be an issue with the fire code. Discussion ensued. Mr. Massarelli determined that staff does not have an answer at this time but is willing to work with the tenant.

GENERAL DISCUSSION

There being no further business, the meeting was adjourned at 10:40 AM

Respectfully submitted,



Robert Massarelli
Director of Development Services

Prepared by Melissa M. Miller

Date: 10/24/19