



City Commission

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REGULAR MEETING OF THE DEVELOPMENT REVIEW COMMITTEE VIRTUAL MEETING

<https://us02web.zoom.us/j/85913900920>

MINUTES

Tuesday, July 13, 2021

10:00 a.m.

City of Margate
Municipal Building

PRESENT:

Elizabeth Taschereau, Director of Development Services
Andrew Pinney, Senior Planner
Alexia Howald, Associate Planner
Curt Keyser, DEES Director
Randy L. Daniel, DEES Assistant Director
Richard Nixon, Building Department Director
David Scholl, Fire Code Official
Mark Collins, Public Works Director
Lt. Ashley McCarthy, Police Department

ALSO PRESENT:

Joaquin Vargas, Traffic Engineer
Mike Gai, Agent, Principal, Sun Tech Engineering
Brad Kluever, Owner's Representative

The regular meeting of the Margate Development Review Committee (DRC) having been properly noticed, was called to order at 10:04 a.m. on Tuesday, June 8, 2021, in the City of Margate Municipal Building, 901 NW 66th Avenue, Margate, Florida 33063.

1) NEW BUSINESS

A) 1D2021-267

RECONSIDERATION OF A PLAT NOTE AMENDMENT TO SUBDIVIDE TRACT A OF THE SHERMAN PLANT INTO PARCELS "A" AND "B" AND ADD 135,000 SQUARE FEET OF INDUSTRIAL USE ON PARCEL B.

LOCATION: 5301 COPANS ROAD

ZONING: LIGHT INDUSTRIAL (M-1)

LEGAL DESCRIPTION: A PORTION OF PARCEL "A", "SHERMAN PLAT," ACCORDING TO THE PLAT THEREOF AS

Development Services Department

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RECORDED IN PLAT BOOK 144, PAGE 26, OF THE PUBLIC
RECORDS OF BROWARD COUNTY, FLORIDA

PETITIONER: MIKE GAI, SUN-TECH ENGINEERING, INC., AGENT FOR CHRIS
WILLSON, FR 5355 NORTHWEST 24TH STREET, LLC.

Andrew Pinney, Senior Planner, introduced the item and explained the process to be followed. He noted the comments were attached to the agenda for reference.

Mike Gai, Sun Tech Engineering, introduced himself and the team present, including Joaquin Vargas, Traffic Engineer, and Brad Kluever, Owner's Representative. He stated he had previously spoken with some members of City staff in response to the comments. He noted he had spoken with Randy Daniel, DEES Assistant Director, earlier in the day and believed the drainage comment was resolved.

Mr. Gai referenced comments on the wording of the plat note amendment and stated he would like to make the wording conditional on Broward County approval because the County had provided the language. He added that he understood the DRC comment on the matter and did not disagree, so had a call in to the County requesting a change to the verbiage.

Mr. Pinney asked for clarification on the request.

Mr. Gai responded the difference in square footage between the construction and the plat was because the County advised to add square footage to avoid a further plat amendment as cover. He noted they would only pay impact fees for what they were actually building.

Elizabeth Taschereau, Director of Development Services advised that City staff should call and speak with the County representative.

Mr. Gai stated it was Karina Da Luz, Broward County Planning Section Manager, that he had spoken with. He explained that without the added square footage, if the building grew by 10 feet the County would deny the building application.

Mr. Pinney expressed concern regarding another project not being able to be built because of the overages. He stated he would contact the County to see if they could whittle it a little tighter. He noted he did not want to make the applicant go through the process twice, but at the same time did not want to squander 3,300 square feet.

Mr. Gai responded that he understood.

Mr. Gai stated Mr. Vargas and Mr. Daniel had spoken regarding the traffic study, and it was his understanding they had come to an agreement. He asserted updated traffic information would be submitted to the City by the middle of the following week.

Mr. Vargas confirmed he was going to supplement to expand the report.

Mr. Daniel stated he and Mr. Vargas had spoken about the fact that the traffic study had not incorporated intersections within a one (1) mile radius from the perimeter of the subject site. He stated Mr. Vargas had agreed to submit evidence to back the assurance that there would not be issues.

Mr. Pinney clarified the analysis should include intersections and segments.

Mr. Daniel asked that the applicant pay attention to Section 31-35(c) of the City Code, as referenced within Department of Environmental and Engineering Services (DEES) comment A.3. He confirmed the study would need to include intersections and associated road segments.

Mr. Vargas asked for clarification that Mr. Daniel was referencing the area within the City of Margate. He stated if they went to the east, they leave the City.

Mr. Daniel stated he thought they should look at all intersections and road segments, as they did not want to create congestion within Coconut Creek. He noted they wanted to make sure they were responsible within their development, so he would like to see that notwithstanding the jurisdiction of the City.

Mr. Vargas responded that he understood.

Mr. Gai apologized for not having submitted the parcel A and B legal descriptions with the resubmittal. He stated they did have them and would get those to staff immediately.

Mr. Pinney stated he was able to look them up, but there had been a bit of confusion up front. He asked that the applicant make sure the information was there every time as they move forward.

Mr. Gai asked if it was possible to approve with conditions to go to the next available Planning and Zoning Board (P&Z) meeting, subject to Mr. Vargas getting the traffic study to Mr. Daniel and Mr. Daniel's approval. He noted coming back to DRC would add two (2) months to the process.

Mr. Daniel noted Mr. Gai had mentioned the drainage calculations had been submitted with approval from Broward County, but he had not seen them. He stated he wanted to make sure what Mr. Gai had told him was correct.

Mr. Gai stated Broward County was the permitting authority for Cocomar, so the Broward County permit was issued. He noted Broward County was also the permitting authority for South Florida Water Management District in the area. He stated the permit included a surface water management license and an environmental resource license and was included in the backup as well as forwarded via email.

Mr. Daniel asked if the permit was still valid.

Mr. Gai responded absolutely. He stated they had gotten the permit earlier this year. Discussion ensued as staff and the applicant attempted to locate the document within the submission.

Ms. Taschereau asked that in the future, all documents required with the application be distributed through Alexia Howald. She noted the Development Services Department was accountable for the application and associated documents were required before the meeting for review by the entire team.

Mr. Gai indicated he would submit the permit to Development Services and reiterated that it had been acquired earlier in the year.

Mr. Pinney suggested Mr. Gai screen share the document for verification.

Mr. Gai corrected his previous statement, explaining the permit was issued December 4, 2020. He shared his screen to show the document.

Mr. Daniel stated it looked as though the document was in order, but he would review following the meeting. He asserted the traffic study as discussed would be required moving forward. He stated he had asked DEES Director Curt Keyser about conditional approval, and Mr. Keyser had said he was not comfortable with that as he wanted to see the traffic report to make sure there were no other adjustments because if the report came back with no impact, they would be fine, but no one knows that would be the result. Mr. Daniel stated they may want to hold back on conditional approval.

Ms. Taschereau asked the date of the next P&Z meeting.

Ms. Howald stated she believed there was a meeting on August 10.

Brad Kluever, Owner's Representative, asserted the applicant was requesting conditional approval based on sign off by engineering once they get the additional information. He stated to Mr. Daniel's point, if the conditions change, the applicant would not have met the conditional approval and would have to come back to the DRC.

Mr. Daniel stated if that was a legal position to take, he would allow that if the rest of the team was comfortable with it from a legal perspective.

Ms. Taschereau asked for clarification as to when the traffic report would be received. She stated the challenge was that inclusion in the next P&Z meeting would require notice 14 days in advance. She asserted that for August 10, notice would be required the week of July 26. She added the team did not want the applicant to go through that money and effort and then get cancelled.

Mr. Gai responded that he understood. He asked Mr. Vargas when the report would be ready.

Mr. Pinney asserted Mr. Daniel also needed time to review the report.

Mr. Daniel stated if the condition was no impact, it should be easy to make a decision.

Ms. Taschereau stated she believed August 10 would be pushing it, because Engineering needed the opportunity to review the report. She noted there were already a number of projects in the queue for review.

Mr. Gai responded that he thought if they came back to DRC, he did not think they would make the September P&Z meeting. He asked the submittal date for the next DRC meeting.

Mr. Keyser joined the meeting at 10:22 a.m.

Ms. Howald explained the next DRC meeting was scheduled for August 24 and the submittal date would be 30 days prior.

Discussion continued regarding the September meeting dates for DRC and P&Z and associated submission and notice dates.

Mr. Kluever asked how much time was needed to review the additional traffic information.

Mr. Keyser asked how many pages the report would be.

Mr. Gai stated they did not know because Mr. Vargas had technical difficulties and was no longer on the call.

Mr. Keyser stated they did not know how long it would take to review.

Ms. Taschereau explained all submittals have to go to the entire DRC, and the entire DRC would need time to review the report. She noted they have to be allowed 30 days.

Mr. Gai asserted that was the issue, that waiting for the traffic report and another DRC meeting meant the applicant lost two (2) months.

Mr. Keyser reminded the applicant that when they submit the traffic report, they make the submittal through Ms. Howald.

Mr. Pinney asserted the other complication was that if, for whatever reason, the traffic report generates enough traffic where the applicant has to do a roadway improvement, that would have to go back before the DRC, as well, as an action plan. He stated it all came down to what was in the traffic report.

Mr. Gai responded that he understood, but Mr. Vargas felt pretty confident there would not be any issue with that. He asked if they could advertise for the September P&Z meeting and then the item be tabled at the meeting if they did not make it, or whether that would be an issue.

Ms. Taschereau asserted the challenge was staff had not scheduled the DRC meeting for the application to be approved or not approved by the time the advertising had to start.

Mr. Gai attempted to call Mr. Vargas to get his input on the traffic report.

Mr. Pinney suggested rather than approve or disapprove the application, the committee table the application to allow the submission of the traffic report, then reconvene the item at the August 10 DRC meeting.

Mr. Gai stated that would be nice.

Mr. Pinney explained that he could not make any guarantees, but under the assumption that the August 10 DRC went well, the item could go on the agenda for the September 7 P&Z meeting, if there was time to put together DRC comments.

Mr. Gai asked what City Commission meeting a September 7 P&Z meeting would put the application on.

Mr. Pinney stated he did not want to guarantee the September 7 meeting, it could be October 5, but there would then be a requirement for a 15-day separation between the P&Z and the City Commission meeting. He stated it would be mid-September or mid-October, depending which P&Z meeting was attended.

Discussion ensued regarding the timeline for reviewing the traffic study if the item were tabled.

Mr. Vargas rejoined the meeting at 10:39 a.m.

Mr. Gai explained Mr. Keyser had asked how long the traffic report would be in order to determine how much time was needed for review.

Mr. Vargas stated he would summarize everything in graphical format to make it easier for review. He offered to meet with the Engineering Department to go over the report.

Mr. Daniel confirmed the report would be received by the end of the following week.

Mr. Vargas stated that was correct and asked that Mr. Daniel let him know when he had 30 minutes available so that he could make himself available.

Mr. Daniel responded that he would review the submittal and then make a decision as to whether a meeting was needed.

Mr. Pinney pointed out there were a lot of “ifs” which needed to be hit in order to move the application down the track and stated he did not want the applicant to be under the wrong impression.

Mr. Gai stated he understood it was in his court, and said he appreciated staff working with them on it.

The Committee tabled the item until the August 10 meeting.

GENERAL DISCUSSION

Mr. Pinney called for any general discussion.

There being no further business to discuss, the meeting was adjourned at 10:42 a.m.

Respectfully submitted,

Elizabeth Taschereau, Director of Development Services