



TOWN OF DAVIE
PLANNING & ZONING DIVISION

SITE PLAN COMMITTEE MEETING MINUTES
JULY 16, 2019

1. ROLL CALL

The meeting was called to order at 4:30 p.m. Committee members present were Chair Stavros Moforis, Vice Chair Robert Breslau, Jimmy Aucamp, and David Oakes. Jeff Dixon was absent. Also present were Planning & Zoning Manager David Quigley, Deputy Planning and Zoning Manager David Abramson, Planner II Lise Bazinet, Planner I Debbie Thomas, Landscape Consultant Bill Tesauro, Board Attorney Allan Weinthal, and Lorraine Robinson, Secretary.

2. SELECTION OF CHAIR

Motion made by Mr. Aucamp, seconded by Mr. Oakes, to nominate Mr. Moforis as Chair. In a voice vote, the motion 4-0 (with Mr. Dixon absent).

3. SELECTION OF VICE CHAIR

Motion made by Mr. Aucamp, seconded by Mr. Oakes, to nominate Mr. Breslau as Vice Chair. In a voice vote, the motion 4-0 (with Mr. Dixon absent).

4. APPROVAL OF MINUTES

3.1 May 21, 2019 Meeting Minutes

Motion made by Vice Chair Breslau, seconded by Mr. Aucamp, to approve the minutes of the May 21, 2019 meeting. In a voice vote, the motion 4-0 (with Mr. Dixon absent).

5. SITE PLANS (Quasi-Judicial)

Chair Moforis moved Item 5.2 to be heard first

**5.2 SP19-003 FPL Hacienda Support Yard
3898 Kean Road**

Mr. Charles Miller spoke on behalf of the applicant and agreed to waive the quasi-judicial process.

Ms. Thomas provided a brief summary of the staff report stating the request was for a vacant parcel which involves clearing of existing vegetation, creation of a paved area for open storage area, with connection to an onsite drainage system, along with lighting and new landscaping as required by Code, and the parcel may be leased to other companies as allowed by Code.

Vice Chair Breslau asked if the applicant agreed to these conditions and Ms. Thomas responded that they had.

Mr. Oakes asked the applicant who they planned to lease the space to. Mr. Miller stated that they would lease to third parties such as an auto dealership and FPL would use the space for storage.

Mr. Aucamp asked if the sable palms were being saved. Mr. Miller responded that they were being relocated.

Mr. Oakes asked if there would be storage of transformers and Mr. Miller stated that it was possible. Mr. Oakes inquired if the site was environmentally protected. Mr. Miller said that it was since the asphalt was at a higher elevation.

Chair Moforis then opened and closed public comment as there was no one wishing to speak on this item.

Motion made by Mr. Oakes, seconded by Mr. Aucamp to approve SP19-003 subject to staff recommendations.

In a roll call vote, the motion passed 4-0 (with Mr. Dixon absent).

Staff Recommendation:

1. *Prior to the Town Council meeting, amend the plans to include an eight to ten-foot-high wall around the storage yard as required in Section 13-33(O)(6).*

5.1 SP18-031 Promenade Davie

Generally located on the southwest corner of Davie Road and Southwest 39th Street (Folios 504127290010, 504127220020 and 504127010134)

Ms. Bazinet provided a brief summary of the staff report stating the site plan request was to develop the site located on the southwest corner of Davie Road and Southwest 39th Street with a new mixed-use project containing restaurants, retail and office use totaling 93,418 sf. Vehicular access for the site would be from Southwest 39th Street to a two level parking garage as well as ground parking along the same street.

Ms. Renee Dyer from Frank Costoya Architect PA and Mr. Jason Wilson from Pillar Consultants spoke on behalf of the applicant.

Mr. Weinthal stated the applicant had waived the quasi-judicial process.

Vice Chair Breslau expressed he had multiple concerns about the project. He added that it was a well-conceived project and improved over what is currently existing.

Vice Chair Breslau asked for clarification on the net square footage of the property as there were conflicting numbers within the plans. He said the number was needed to accurately calculate shared parking. Ms. Dyer said the total is 70,897.

Vice Chair Breslau said this would create 2330 new trips for Southwest 39th Street, located across from the elementary schools with no access to Davie Road. He asked if there was any effort to alleviate 39th Street which already has traffic problems especially since it lines directly up to the Eisenhower school drop-off. Mr. Vogt responded that the proposed Davie Road Phase 3 is designed to be more pedestrian friendly with no new development driveways accessing Davie Road.

Vice Chair Breslau wanted to address the public participation letter with staff. He said that the report shows the letter was sent to the School Board and indicates that no one from the Board attended. The notification for the meeting only indicates that this would be for 70,000 square foot commercial building for retail and office space only. He added that it didn't mention restaurants, or 4COP licenses potentially being issued. Vice Chair Breslau stated he spoke with Mr. Quigley concerning alcoholic beverage licensing and that there is a RAC exemption allowing this. Vice Chair Breslau asked staff if this was properly noticed. Mr. Abramson responded that there were

two sets of public participation meetings and this was noticed properly, he added that restaurants were considered commercial use.

There was a discussion about parking. Vice Chair Breslau asked if there was limit on how shared parking gets calculated. His concern is that there is a 42% reduction with 2330 trips and 170 parking spaces. He estimated 240 employees working at the commercial businesses. Ms. Bazinet responded that the shared calculations provided in the table are correct. Vice Chair Breslau feels this is under parked by 125 spaces. He added there is no shopping center nearby to absorb the overflow parking and concerned that people will park in the school across the street. Ms. Dyer said the plan for downtown was for more pedestrian use. Vice Chair Breslau commented that most people won't walk in 90-degree heat. Chair Stavros asked staff if there was a limit on shared parking. Mr. Abramson explained the parking sections on page D-1.

Chair Stavros asked what the distance separation was for an establishment selling alcohol from a school. Mr. Quigley stated that the Town revised the alcohol beverage regulations about 4 years ago, implementing the extended hours provision which required extensive review for a license to allow serving between hours 2-4 AM. Mr. Quigley added that the Regional Activity Center (RAC) with its design, had too many conflicts with distance separations between restaurants, bars and schools. The plan for the area included restaurants and bars and therefore the separation requirement was eliminated. If the establishment is a restaurant serving 51% of food, there is zero requirement for separation in the RAC. The state has a requirement that if an establishment other than a restaurant sells less than 51% food, then the separation is 500 feet and the Town can't waive or vary that.

There was a discussion on the Design Variations proposed by the applicant. Vice Chair Breslau said there were notes on the plan and report, showing outdoor and patio area without seating. He questioned staff if the applicant at some point added 20-40 outdoor seats were these included in the parking calculations. Mr. Abramson stated that he was having difficulty following how the parking calculations were configured and would recommend having a diagram bounding the areas where they are having the calculations. Vice Chair Breslau had concerns that the courtyard area could potentially be filled with outdoor seating. Ms. Dyer said the courtyard would remain an open area without seating and bar service.

Mr. Oakes asked if there was any consideration to adding a third parking deck. Ms. Dyer said it was a cost factor. Mr. Aucamp suggested constructing structurally to be able to add a third deck in the future to alleviate the parking problem.

Chair Moforis said he had concerns serving alcohol 150 feet from the school was difficult for him to approve to Council. Mr. Weinthal responded that the alcohol concerns meet the law requirements. Mr. Weinthal stated that the committee needed to determine if the proposed development met the plan for the RAC and proceed accordingly. Chair Stavros asked how to look at the RAC requirements. Mr. Weinthal stated that it was in the Town Code and they could look online through Municode, or the Town Clerk could provide it as a public record.

Chair Moforis recommended tabling this item to allow for the committee to research the RAC code. Vice Chair Breslau wanted to run through technical issues and waivers to clarify the concerns so the applicant can address.

Vice Chair Breslau had concern about vehicles backing out and making full turn movements while vehicles are entering at both the west and east entrances off Southwest 39th Street pictured on SP-1. Mr. Wilson responded that the Town requirement is 25 feet to the very first turn and this project exceeds that with above 30 feet. Mr. Vogt confirmed the Town requirement of 25

feet as standard and he had no concern with these spaces. Vice Chair Breslau recommended designating the (4) spaces for employees only.

Vice Chair Breslau asked if the mezzanine spaces were included in the net square footage for parking calculations as these are rentable areas (page A-1 master site plan). Ms. Dyer confirmed they were included in the calculations listed on (page D-1; Sect V. Building Unit Areas). Vice Chair Breslau asked that staff verify this is correct.

Vice Chair Breslau referred to the dumpsters for Restaurant 2 and how garbage would be picked up (page A-1.0). Ms. Dyer responded there was a curb cut for Waste Management to access from Southwest 39th Street. Vice Chair Breslau was not in favor of a garbage truck having to back up onto a public road and asked if the Town was okay with this. Mr. Vogt couldn't recall this being done before.

Vice Chair Breslau referred to the caps on the tower and thought it out of proportion to the structure and overextends (page A-5.0). Ms. Dyer design intent was to be a focal point as it was the entrance and it provides an overhang to the balcony.

Vice Chair Breslau discussed the design variation related to signage. He thought the structure to be a large pylon with signage going across 18 feet. He asked staff if the archway met code (page A-6.0 and elevations A-5.1). Vice Chair Breslau referred to this as a ground mounted sign.

Mr. Aucamp asked what was planned with the trees on the property line. Ms. Dyer responded that the owner has not responded to their requests to resolve the tree line for over a year. Mr. Quigley said that this property is also within the Community Redevelopment Agency (CRA) and they are also working to get this resolved. Mr. Aucamp asked if the trees could be cut down and mitigated. Mr. Quigley responded that this wouldn't be permitted as the trees aren't on their property. Mr. Wilson added that they needed to provide to the Town proof of all the attempts made to contact the property owner next door. Mr. Quigley added that root pruning would make the trees unsafe. Chair Moforis asked what would happen if the owner refuses to remove the trees and Mr. Wilson replied that the building would have to be moved over.

There was a brief discussion on the street trees. It was agreed that if unable to fulfil the tree recommendations from the Town that the best solution would be to pay into the tree fund.

There was discussion on the Design Variation requests:

Item #1 Fence- Vice Chair Breslau wanted clarification on what Item 1 was asking for. Ms. Bazinet stated the applicant was requesting to allow an 8' high fence (Code allows 6'). Ms. Dyer said the request was also to allow the fence material to be aluminum picket as it was a more durable material; the fence would include a trellis system to provide additional landscaping.

Item #2 Reduce Number of Trees- Mr. Aucamp said that if the trees weren't available, the applicant would donate to the tree fund. Mr. Wilson said the plans they were viewing were not updated to include the recommendation for the landscape reviewer for 18' trees.

Item #3 Building Height – Vice Chair Breslau had no issue with this request as this was in the TOS area.

Item #4 Surface Parking - Vice Chair Breslau had no issue with this request as it ties in with the other fence and wall.

Item #5 BTL – Mr. Vogt that the request was for zero lot line. Vice Chair Breslau had no issue with this request.

Item #6 Signage - Vice Chair Breslau disagreed with this request, he liked the architecture but didn't want tenant signs on the monument arch.

Item #7 Western Theme Manual – Vice Chair Breslau was unclear on what the stucco brick pattern would be as there wasn't a materials board presented. Ms. Dyer provided an explanation and said this was an economic decision. Vice Chair Breslau wanted to defer the decision until the committee could review the samples.

Chair Moforis then opened and closed public comment as there was no one wishing to speak on this item.

Motion made by Mr. Oakes, seconded by Mr. Aucamp, to table item SP18-031 to a not time certain date. In a roll call vote, the motion passed 4-0 (with Mr. Dixon absent). The Committee made the following recommendations:

1. *Designate the two parking spaces located at the northwest corner of the site and the two parking spaces directly south of the eastern entrance off Southwest 39th Street as employee parking only.*
2. *Relocate all dumpsters next to Restaurant 2 or incorporate rolling dumpsters in the site so that Waste Management does not access the dumpster from Southwest 39th Street.*
3. *If the tree sizes do not meet the landscape plan specifications, the developer must make up the dbh by contributing the deficiency into Town's Tree Mitigation Fund.*
4. *No tenant signage shall be located on the entrance marquee along Southwest 39th Street.*
5. *Revise plans to restrict any outdoor seating within the ground floor courtyard.*
6. *Remove design variation number 6 and the applicant must provide renderings /material boards to discuss number 7.*
7. *Subject to staff conditions with a change to numbers 1, 2, and 3 from being required "prior to the Town Council meeting" to "prior to any permit being issued". Also, staff condition number 4, needs to be changed to the following landscaping conditions must be "reflected" on the plans.*
8. *Staff to provide RAC parking and alcohol license requirements.*

07/11/19 Staff Recommendations:

1. *The proposed site plan is subject to approval of the Broward County Planning Council of a reduction of the 39th St. right-of-way requirement to 62ft plus a 3ft. sidewalk easement.*
2. *Improvements on SW 39th Street to include the necessary road widening, reconstruction, drainage, curbing, signal, and street lighting work and the undergrounding, streetscape and sidewalk expansion and harmonization work on Davie Road shall be completed by the Developer/Contractor prior to issuance of any Certificate of occupancy (CO) on the property.*
3. *The proposed mitigation for the existing trees within the Broward County right-of-way are subject to Broward County tree permitting process; including but not limited to a mitigation requirement with a 150% replacement value and the County's preference on the location of the replacement trees.*
4. *Prior to Town Council meeting the following landscaping conditions must be reflected on the plans:*
 - *An ultimate determination must be established on the disposition of the existing Black Olive trees (7, 8, 10 and 13) Sabal palms (11, 12, 14, 15 and 16) located on the adjacent property with regards to disposition (preservation*

or removal) and how to mitigate any proposed impacts or liability by any proposed pruning of these tree/palms, roots, trunks and canopy or the possible replacement in horticulturally sound and safe procedure.

- *The proposed 8' radius structural soil to be changed to a 10' radius structural soil for the street trees on Cross Section A-A of Sheet C-2.*
- *The proposed Burley Marx, Blanket flower and African iris to be revised to provide 75% coverage at installation. Also, add required hedges to screen the cars from the Davie Road on each side of the pedestrian entrance.*
- *The proposed street trees to be upsized from 14' - 16' tall to 18' tall to mitigate for the loss of trees, shade and soften the building along the streets.*
- *Correct the note "all existing trees within the Broward County right-of-way shall be either removed per the developer's expense". Remove the word "either".*
- *Upsize courtyard tree to create an immediate impact, add to the sense of space, offer a unique meeting place and enhance the exceptional design feature.*

6. **OLD BUSINESS** - none.

7. **NEW BUSINESS** - none.

8. **COMMENTS AND/OR SUGGESTIONS**

9. **ADJOURNMENT**

Hearing no further business, the meeting was adjourned at 6:53 p.m.

8/20/19

Date Approved



Chair/Board Member
Stavros Moforis