



TOWN OF DAVIE
PLANNING & ZONING DIVISION

SITE PLAN COMMITTEE MEETING MINUTES
AUGUST 20, 2019

1. ROLL CALL

The meeting was called to order at 4:35 p.m. Committee members present were Chair Stavros Moforis, Vice Chair Robert Breslau, and Jeff Dixon. Jimmy Aucamp and David Oakes were absent. Also present were Planning & Zoning Manager David Quigley, Deputy Planning and Zoning Manager David Abramson, Planner II Lise Bazinet, Landscape Consultant Bill Tesauro, Board Attorney Allan Weinthal and Lorraine Robinson, Secretary.

2. APPROVAL OF MINUTES

2.1 July 16, 2019 Meeting Minutes

Motion made by Mr. Dixon, seconded by Vice Chair Breslau, to approve the minutes of the July 16, 2019 meeting. In a voice vote, the motion passed 3-0 (with Mr. Aucamp and Mr. Oakes absent).

3. SITE PLANS (Quasi-Judicial)

Chair Moforis announced that items would be heard out of order. He moved Item 3.2 to the be heard first.

**3.2 SP19-054 Burger King
5901 South University Drive**

Ms. Bazinet provided a brief summary of the staff report. The request is to allow the exterior remodel of an existing freestanding restaurant with a new modern design. Improvements are limited to paint colors, architectural features, parking lot resealing and restriping, and restoring the landscaping to the original plans.

Manuel Tapia-Ruano spoke on behalf of the applicant.

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

Mr. Dixon asked if the new requirement for handicap stalls to be less than 2 percent and if this was addressed by the civil engineers. Mr. Tapia-Ruano responded that the crosswalk and approach walkway are less than 2 percent. He added that they included the electric car recharge station which is a requirement.

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

Motion made by Vice Chair Breslau, seconded by Mr. Dixon to approve SP18-183. In a roll call vote, the motion passed 3-0 (with Mr. Aucamp and Mr. Oakes absent).

3.4 SP19-092 Cambria Hotel
Generally located on the southeast corner of Southwest 160th Avenue (Dykes Road) and Southwest 14th Street

Mr. Manny Sinalovski spoke on behalf of the applicant and waived quasi-judicial.

Ms. Bazinet provided a brief summary of the staff report. The request is for the development of a 155 room, 5-story hotel. The property is located at the northwest portion of the Town surrounded in its majority by City of Weston and Interstate-75. The proposed hotel will access 14th Street via Dykes Road. A similar application was approved by Town Council in 2015 which was never built (Aloft).

Mr. Dixon asked if there were any major differences from what was approved previously. Mr. Sinalovski stated the number of rooms increased from 136 to 155, the ground floor is less of a footprint which resulted with reduced number of parking spaces and were able to add more rooms, removed the need for a car lift and the Cambria brand has a lower roof height.

Chair Moforis asked if the colors had changed. Mr. Sinalovski stated the colors have changed to grey and goldish tones which are brand standard for Cambria, all metals will be white anodized and lighter grey field color throughout.

Vice Chair Breslau complimented the clever use of parcel.

Chair Moforis asked how many charging stations. Mr. Jose Saye responded that there were two charging stations.

Vice Chair Breslau asked if they agreed with the staff recommendations. Mr. Sinalovski responded yes and no, adding that staff was under the impression that a signal would be added at the intersection of Southwest 14th Street and Dykes Road. After significant discussions with City of Weston, Florida Department of Transportation (FDOT) and the County that a signal would not occur.

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

Motion made by Vice Chair Breslau, seconded by Mr. Dixon to approve SP19-092 subject to staff recommendations.

In a roll call vote, the motion passed 3-0 (with Mr. Aucamp and Mr. Oakes absent).

Staff recommendations 1-4.

- 1. Coordinate with the City of Weston to provide an access drive connection from 160th Avenue to North Park Drive to ensure that left turns onto SW 14th Street are made at a signalized intersection. A permit from City of Weston for the access drive connection must be obtained prior to issuance of a Town of Davie Building Permit for the hotel. The road must be completed prior to obtaining a Certificate of Occupancy for the hotel.*
- 2. Prior to commencement of any land clearing on the site, the applicant shall take reasonable steps to ensure that nuisance animal species disturbed by such land clearing do not pose an undue burden on neighboring properties. At a minimum, as part of any application for a Town clearing and grubbing permit, the applicant shall demonstrate that the services of a qualified nuisance animal trapper have been retained. The applicant shall ensure that animal trapping begins at least 30 days*

prior to commencement of actual clearing and grubbing activity. Failure to adhere to this condition shall be grounds for the Town to suspend all clearing and grubbing activity on the site. This condition is not intended to address threatened or endangered animal species, which are separately protected by federal, state or local laws.

3. *Proposed flagpole height shall not exceed 35 feet.*
4. *Provide a cash bond of \$125,000, in favor of the Town of Davie, to be used toward the design and/or construction of the traffic signal at the intersection of 14th Street and Dykes Road. The cash bond shall be executed prior to issuance of a building permit for the hotel building and shall remain in effect for at least two (2) years after issuance of the Certificate of Occupancy for the hotel building. The bond would serve as a guarantee that at least 25% of the anticipated design/construction cost would be available should the signal be deemed warranted by Broward County after the hotel becomes operational.*

**3.1 SP18-031 Promenade Davie (Tabled from July 16, 2019)
Generally located on the southwest corner of Davie Road and Southwest 39th
Street (Folios 504127290010, 504127220020 and 504127010134)**

Frank Costoya Architect PA and Mr. Bill Laystrom spoke on behalf of the applicant and waived quasi-judicial.

Ms. Bazinet provided a brief summary of the staff report. She reminded the committee that this item was tabled at the July 16th, 2019 meeting. She read the committee and staff recommendations into record. Ms. Bazinet said the staff recommendation #4 regarding upsizing trees from 14'-16' tall to 18' tall was withdrawn and therefore the committee recommendation #3 was no longer needed.

Chair Moforis asked if the neighboring tree issue had been resolved. Ms. Bazinet deferred to the applicant.

Mr. Laystrom said the plan for this development did not include package liquor stores or sports bars. He pointed out that alcohol sales were permitted per Town Code. He added they have worked with the County with access to the site and eliminated the two parking spaces requested by the committee.

Vice Chair Breslau said architecturally and design wise, this was well done. He has an issue with the RAC Code allowing alcohol sales close to schools. Mr. Weinthal pointed out that Code allows what is being proposed which are restaurants with bars. Vice Chair Breslau stated he would like the applicant to voluntarily restrict hours for alcohol sales. Mr. Costoya disagreed with this suggestion.

Concerning garbage collection, Mr. Costoya said that Waste Management will roll up parallel to the curb, stopping on 39th Street curb cut and load. He added they were willing to restrict the hours. Vice Chair Breslau stated they had never approved pick up on streets and asked if the Town agreed with this design. Mr. Abramson said street pick up does occur within the Town. Mr. Dixon asked if it could be after 5pm. Vice Chair Breslau wanted to restrict between the hours of 7am-7pm.

Vice Chair Breslau wanted to discuss their recommendation for no tenant signage on the entrance marquee. Mr. Costoya described the benefits to the signage. Vice Chair Breslau said it

didn't meet Code and that other shopping centers 10x the size with a much larger footprint that don't have signage like this permitted. Mr. Abramson informed the committee that this property is unique due to its access and that RAC sign regulations are different. Mr. Abramson said there is a design variation for this design element on page D1.

Mr. Weinthal advised that the committee needed to determine if this met the design variation requirements. He then read the code into record:

Sec. 12-438.23. - Variations in design; administrative relief

(C) Standard of review for design variations. The town use the following criteria to base decisions to approve, approve with conditions, or deny requests for design variation:

- (1) Whether the request is for a reasonable accommodation of design flexibility that results in overall superior development and design consistent with the intent and principles of this Division that govern the standard for which variation is requested; or,
- (2) Whether the variation is appropriate to accommodate site conditions not anticipated in these regulations, or to reconcile conflicting requirements, provided the request is generally consistent with the intent and principles of this Division that govern the standard for which variation is requested.

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

Motion made by Vice Chair Breslau, seconded by Mr. Dixon to approve SP18-031 with staff recommendations listed below and the following recommendation:

1. *Restaurant #1 roll-out garbage pick-up to be restricted to the hours 7am and 7pm Monday thru Friday.*

In a roll call vote, the motion passed 3-0 (with Mr. Aucamp and Mr. Oakes absent).

Staff recommendations 1-4.

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. *The following landscaping conditions must be reflected on the plans prior to any permit issued:*
 - a. *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.*
- b. 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.*
 - c. 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.*
 - d. 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".*
 - e. 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.*

3.3 SP18-183 Fieldstone Shops of Davie 1380 South Flamingo Road

Mr. Neal Kalis, Kalis and Kleinman spoke on behalf of the applicant and waived quasi-judicial.

Ms. Bazinet provided a brief summary of the staff report. The request is for the development of a new 41,250 sf. shopping center. In 2015 the site was approved for a 23,300-sf. shopping center consisting of restaurants, retail bays and a bank with drive-through which was never built. She added that the petitioner was requesting a waiver to provide an 11 ft. landscape buffer along Flamingo Road (Code normally requires a 50-foot buffer along the scenic corridor).

Vice Chair Breslau asked if they had approved the request for waiver on the landscape buffer previously. Ms. Bazinet responded that what was approved previously was the variance to move the buffer.

Mr. Kalis concurs with the staff report.

Chair Moforis asked what kind of retail was expected in Building 1. Mr. Kalis could be a small neighborhood grocery store like Aldi's. Chair Moforis asked if there was any restaurant space in Building 2. Mr. Jason Wilson stated it was all retail.

Vice Chair Breslau stated in the parking tabulations were 7 compact spaces. He added on page SP1 it looks like 20 compact spaces. He asked which was correct. Mr. Wilson said the tabulation listed the handicap and compact spaces on the wrong line and that he would make corrections to show 7 handicap and 41 compact spaces.

Vice Chair Breslau asked if the dumpster located on the northside of Building 2 by the 1800 ft retail bay would be better turned for access. Mr. Wilson responded that the trucks would enter, turn left next Building 1 with direct access to the exit south.

Vice Chair Breslau discussed Building 2, bays on the bottom of the plans look like the back doors open to oncoming traffic. Mr. Wilson said there would not be a door there.

Vice Chair Breslau asked about the trail that runs along Flamingo Road from Peaceful Ridge and how to assure maintaining the connectivity to the trail. Mr. Abramson noted the trail runs along Southwest 14th Street to Hiatus but didn't see it on the plans. Mr. Wilson said the trail runs along the right of way on the southeast corner near their property, between the guardrail and sidewalk improvements to be done.

Vice Chair Breslau commented that the Building 1 loading docks would not work for a box store like Aldi's the way it was configured.

Vice Chair Breslau pointed out that Do Not Enter signage is missing on one way next to Building 1 (page C4).

Vice Chair Breslau said the parapet height may need to be adjusted to hide the equipment.

Mr. Dixon asked if the canal was being used for stormwater retention. Mr. Wilson stated everything is stored onsite with underground storage which was an exfiltration trench.

Mr. Wilson said they agreed with the staff recommendation.

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

Motion made by Vice Chair Breslau, seconded by Mr. Dixon to approve SP18-183 with the following recommendations:

Staff Recommendation [*Provide additional sidewalk connectivity to the existing walkway located at the east side of SW 14th Street from the north and the west*].

1. *Applicant will adjust the parking tabulation to reflect the correct labeling.*
2. *Building 2 southernmost bay rear door shall be located only on the south side of the building, not on the rear.*
3. *On page C-4, applicant to add 'Do Not Enter' signs at the southwest corner of Building #1 to accurately reflect one-way drives.*
4. *The applicant shall work with staff to ensure the parapets on Building #1 shall be adjusted in height to ensure that any equipment will not be visible from Flamingo and Southwest 14th Street.*

4. **OLD BUSINESS** - none.

5. **NEW BUSINESS** - none.

Mr. Weinthal informed the committee there of upcoming ethics training.

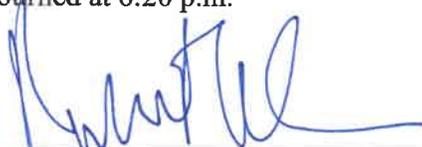
Chair Moforis notified the committee that he will be moving out of Davie and will no longer be able to serve on the committee.

6. **COMMENTS AND/OR SUGGESTIONS**

7. **ADJOURNMENT**

Hearing no further business, the meeting was adjourned at 6:20 p.m.

Sept 17, 2019
Date Approved



Chair/Board Member
Robert Breslau