



**REGULAR MEETING OF  
THE DEVELOPMENT REVIEW COMMITTEE**

**Tuesday, March 22, 2016**

**10:00 AM**

City of Margate  
Municipal Building

**City Commission**

Mayor Tommy Ruzzano  
Vice Mayor Joyce W. Bryan  
Lesa Peerman  
Joanne Simone  
Frank B. Talerico

**City Manager**

Douglas E. Smith

**City Attorney**

Eugene M. Steinfeld

**City Clerk**

Joseph J. Kavanagh

**PRESENT:**

Ben Ziskal, AICP, CECd, Director of Economic Development  
Mary Langley, Building Director  
Kevin Wilson, Fire  
Lt. Paul Fix, Police  
Dan Topp, Code Compliance Officer  
Abraham Stubbins, Utilities  
Kelly McAtee, Engineering  
Diane Colonna, CRA Executive Director

**ALSO PRESENT:**

Scott Mire, Consilium Atlantic, Inc.  
Wisler Josaphat  
Andrea Virgin, Thomas Engineering Group  
Paul Gershen, Gershen Associates  
Mark Crompton, Community Sciences  
Robert B. Lochrie III, Lochrie & Chakas, P.A.

**ABSENT:**

Jeanine Athias, Engineering  
Andrew Pinney, Associate Planner  
Sam May, Director of Public Works  
Michael Jones, Director of Parks and Recreation

The regular meeting of the Margate Development Review Committee (DRC), having been properly noticed, was called to order by Benjamin Ziskal at **10:10 AM on Tuesday, March 22 2016**, in the Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, FL 33063.

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- 1) NEW BUSINESS
- 1A) **DRC NO. 03-16-01 CONSIDERATION OF A CHANGE OF OCCUPANCY AND AN AMENDED SITE PLAN FOR COCONUT CREEK PLAZA**  
**LOCATION:** 5281-5261 COCONUT CREEK PARKWAY, MARGATE, FL  
**ZONING:** TRANSIT ORIENTED CORRIDOR-CORRIDOR (TOC-C)  
**LEGAL DESCRIPTION:** PARCEL "A" OF "CENTRAL PARK OF COMMERCE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN

PLAT BOOK 119, PAGE 27 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

**PETITIONER:** SCOTT MIRE, CONSILIUM ATLANTIC, INC.

**DRC comments:**

Scott Mire, Consilium Atlantic, Inc., said they had previously received site plan approval for a K thru 8 school and a high school on the site. He said the purpose of the amended site plan was to increase the size of the K thru 8 school from 480 to 640 students. In addition to reconfiguring the interior for more students, the primary changes to the site plan included: expansion of the athletic fields; reconfiguration of the student drop-off; and, the addition of a bus drop-off in the front. He said the previous phase on the project was the construction of the high school, Ascend Career Academy, and installation of a landscaped buffer along Coconut Creek Parkway.

Mary Langley stated that a permit would be needed.

Kevin Wilson had no comment.

Diane Colonna had no comment.

Dan Topp commented on an abandoned sign at 5247 Coconut Creek Parkway that he said needed to be removed.

Lt. Paul Fix had no comment.

Abraham Stubbins asked about the plans for the existing water meters at the rear drive area. Mr. Mire responded that they were going to request to have them removed as the entire project would be served by one water line. Mr. Stubbins asked if they planned to have one meter and where it would be located. Mr. Mire said there would be one meter and he pointed out the location on the site plan. He said the front building had been subdivided into 20 foot bays and there were currently 11 meters that they planned to remove. Mr. Stubbins asked that they show it on their engineering plans. Mr. Stubbins commented there was a 12-inch water main in the location where the trees had been planted along Coconut Creek Parkway; he asked if they had called for locates. Mr. Mire said they would look into it and move the trees if necessary.

Kelly McAtee asked Mr. Mire to describe the traffic flow, the schedule of the drop arms, and the direction of the buses. Mr. Mire referenced the site plan and pointed out the traffic flow. He said the primary entrance would be on Banks Road and the traffic would move along the back area of the site. He pointed out the drop off area for each school, the location of vehicular gates, and bus drop off areas. He said the plan allowed for close to 2,500 linear foot of stacking which would move the on-site traffic away from the public roadways. Mr. McAtee asked if the gate to the south would be closed. Mr. Mire said there were vehicular arm gates that he thought the schools intended to keep closed, but they could be used for flow through traffic if desired.

Mr. McAtee asked about the bus flow. Mr. Mire said the buses could come in from any of the entrances, drop off at the designated area, and exit at the traffic light. He said parents would not be entering and exiting at the same location as the buses.

Mr. McAtee advised that the payment and utility work could be done under a single engineering permit.

Mr. McAtee asked if there would be additional tree removal being done. Mr. Mire said there would be very minimal tree removal in the athletic field area, maybe 10 or 11 trees. Mr. McAtee asked about the status of the tree removal permit. Mr. Mire said he thought they got the permit with their demolition permit, but he would check. Mr. McAtee commented that he saw one specimen tree slated for removal, a 22-inch mahogany, and that there were provisions in the City code on how it should be replaced.

Mr. McAtee said a consumptive use permit would be needed from the South Florida Water Management District for the irrigation that would be coming from the canal.

Mr. McAtee asked whether there were existing dumpsters on the north portion of the property. Mr. Mire said there were a series of dumpsters on the west side of the property that they removed and were consolidating into two dumpsters in the back area in the same configuration shown in the original site plan approval.

Mr. McAtee commented that there was a water main that ran through the athletic fields and he noted that a dry retention area was being shown along the east side of the athletic fields and depending on how deep they went, he said they might need to lower the PVC water main. He also commented on a note on the north side of the property about the relocation of a fire hydrant; he asked that the new location be shown on the site plan.

Mr. McAtee asked if a traffic study had been done. Mr. Mire said one had not been done nor had one been requested. Mr. McAtee said that one was generally requested if there were more than 500 trips generated; he asked that they have their traffic engineer see if one would be required.

Ben Ziskal commented that only five bike racks were shown near the school, but there were several shown throughout the shopping center. He asked that they look at the number of bike riders that they might attract. Mr. Mire said they had cluster a bike racks behind the school. Mr. Ziskal encouraged them to have the bike racks closer to the school as opposed to spread out across the center.

Mr. Ziskal asked if the school would have competitive sports. Mr. Mire responded that they did not have intercollegiate sports planned initially but, in a future phase, they intended to increase the size of the field making it suitable for intercollegiate competition.

Mr. Ziskal advised that the City had an interlocal agreement with Broward County for public use of its fields and he encouraged Mr. Mire to contact the Parks and Recreation Department about exploring the opportunity of having an agreement with the school for public use of its fields in the future. Mr. Mire said he would have his client contact the City.

Mr. Ziskal stated, for the record, that there was another item on the agenda regarding a moratorium for future charter schools. He advised that the moratorium would not apply to this school as it had already been approved at this location. Mr. Ziskal advised them to make the

revisions requested that day and to submit three final site plans back to Economic Development which would be circulated among the committee members for sign off.

- 1B) **DRC NO. 03-16-02:** CONSIDERATION OF A **CHANGE OF OCCUPANCY** FOR A DANCE STUDIO  
**LOCATION:** 6862 WEST ATLANTIC BOULEVARD, MARGATE, FL  
**ZONING:** TRANSIT ORIENTED CORRIDOR-CORRIDOR (TOC-C)  
**LEGAL DESCRIPTION:** ORIOLE-MARGATE, SECTION TWO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 71, PAGE 23, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.  
**PETITIONER:** WISLER JOSAPHAT

Wisler Josaphat, 6862 West Atlantic Boulevard, said he was renting the subject space which was currently being used for office space and he wanted to change it to a dance studio where he could teach classes.

**DRC Comments:**

Mary Langley commented on the occupancy load and said that the calculations shown on the Floor Plan on sheet S2 would need to be revised for the Building and Fire Department purposes. She said the dance studio portion should be based on seven square foot per person instead of 100. Once the maximum occupant load was revised, she said additional toilet fixtures might need to be added.

Kevin Wilson commented that the change of occupancy would be to Assembly, and depending on the calculations Ms. Langley spoke about, a fire alarm or fire sprinklers might be needed. Also, he said a life safety plan from the architect would be needed.

Diane Colonna had no comment.

Dan Topp had no comment.

Lt. Paul Fix had no comment.

Abraham Stubbins said that if a fire sprinkler system were needed, they would need to have a plan that showed how it tied into the City's existing water line.

Kelly McAtee said there would be water and sewer impact fees which would be dependent on the number of Equivalent Residential Connections (ERC's) at the existing building versus the new use. He said, based on the plans as shown, there would be an additional 1.15 ERC's costing approximately \$4,000.00. If there were changes, he said they could redo the calculations.

Ben Ziskal said that an inspection would need to be done of the current landscaping comparing it against the landscape plans from 2008 that were provided. He said anything that may have been removed or died since 2008 would need to be replaced.

He explained that the review was being done from a life safety perspective because the use was changing from an office to a dance studio where they might have a whole group of people at one time instead of a few office workers who might need to be evacuated quickly in case of an emergency. He said an engineer would need to measure and certify that the lighting levels in the parking lot met the Code and, if there were deficiencies, they would need to be corrected. He reiterated the need for their designer to recalculate the occupancy levels. Once corrections were made, he told Mr. Josaphat to resubmit three final plans to the Building Department for permits.

- 1C) **DRC NO. 03-16-03:** CONSIDERATION OF **SITE PLAN** APPROVAL FOR A NEW BURGER KING RESTAURANT  
**LOCATION:** NORTHEAST CORNER OF STATE ROAD 7 AND N.W. 29<sup>TH</sup> STREET  
**ZONING:** TRANSIT ORIENTED CORRIDOR-CORRIDOR (TOC-C)  
**LEGAL DESCRIPTION:** A PORTION OF TRACT A, "CORAL GATE COMMERCIAL", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 98, PAGE 17, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.  
**PETITIONER:** RYAN THOMAS, THOMAS ENGINEERING GROUP

Andrea Virgin, Thomas Engineering Group, representing Phoenix organization, said they were proposing a 2,500 square foot restaurant that would seat 40 people, and an inline retail location of 3,000 square foot. She said they met the Code requirements for parking and setbacks, as well as the buffer requirements. She said that they were part of a master drainage system and they were building out one component of that permit.

#### **DRC Comments:**

Mary Langley commented that they needed to submit a permit application to the Building Department for review.

Kevin Wilson had no comment.

Diane Colonna had no comment.

Dan Topp commented that the urban greenway along North State Road 7 needed to be maintained at a width of 25 feet per Section 23-6B2 of the Margate Code. He advised that they needed to include the urban greenway requirement in the Landscape Code Compliance chart and referenced Section 23-6B2. He said the sidewalk along North State Road 7 was required to be maintained at a maximum of 12 foot wide per section 9.7 of the Code, and he pointed out an area on the site plan that had been tapered. Mr. Topp advised that street trees were required along State Road 7 and on N.W. 29<sup>th</sup> Street per Section 23-6B2. He asked her to reference Section 23-6B3 for alternatives for trees under power lines. He said a right-of-way buffer along N.W. 29<sup>th</sup> Street was required and he referenced Section 23-6B1 and 23.6B2. He suggested expansion of the buffer along N.W. 29<sup>th</sup> Street. He mentioned that they might want to consider using bollards as an alternative to wheel stops along the building as the current requirement for wheel stops might be eliminated in May, 2016, based on a pending ordinance. Mr. Topp commented that the size of some islands might not meet the minimum landscape dimension of seven foot per Section 23-8A. He advised that the minimum frontage build-out

required for buildings in Transit Oriented Corridor (TOC) districts was 70% and they were below that amount along State Road 7.

Lt. Paul Fix had no comment.

Abraham Stubbins referenced sheet C-09 and indicated that a ten foot easement was needed for the water line located on the northwest corner of the property. He said another valve was needed south of the connection on the service line that entered the proposed building. He also asked that the line be looped into N.W. 29<sup>th</sup> Street in the event a hydrant might be needed there in the future. He said a 12-foot utility easement would be needed for the sewer line that entered their property from the south.

Kelly McAtee asked if the cross access agreements were already in place and Ms. Virgin responded that they were in place. He asked about access routes for people entering from U.S. 441 and N.W. 29<sup>th</sup> Street in relation to the drive-thru. Ms. Virgin responded that there would be signage and wayfinding.

Mr. McAtee referenced sheet C-10 and advised which of the two blow-off details should be used.

Mr. McAtee provided two addresses that they could use for future plan submittals: 2990 North State Road 7 for Burger King; and, 2980 North State Road 7 for the retail space.

Mr. McAtee advised that sewer and water impact fees would be approximately \$23,500 based on the current square footage.

Dan Topp clarified his comments about landscaping on N.W. 29<sup>th</sup> Street noting that what they provided was adequate, but that they might want to consider expanding the space if they wanted something other than small trees.

Ben Ziskal commented on the sidewalk connections shown on the site plan and recommended they take the 12-foot sidewalk south and tie into the crosswalk and then provide a landscaping buffer between the sidewalk and the curb. He recommended that the sidewalk between the door and the parking lot on the south side of the retail building connect to the State Road 7 sidewalk. He asked that they check to make sure the sidewalk met Code and was ADA compliant.

Mr. Ziskal said that he had met with Ryan [Ryan Thomas, Thomas Engineering] several times and they had gotten the design as close to the Code as possible, however, it still would not meet Code for frontage and set back requirements, and they would need to seek variances for them. Ms. Virgin said one of the comments received from the Florida Department of Transportation (FDOT) was a request to shift the building due to stacking requirements.

Mr. Ziskal commented that the detail showed the fine amount for handicapped parking in one-inch letters instead of the required two-inch lettering.

On the photometric plan, he said the lighting at the most northern portion of the parking that faced the retail building was at 0.8 foot candles and it needed to be at 2.0 for the entire parking area.

Mr. Ziskal noted that the elevation plan showed two drive-thru windows; he asked whether both windows would be active. Paul Gershen, Gershen Associate Architects, responded that there would be two functioning windows. Mr. Ziskal suggested a widened or a double window on the wall to the left of the main entrance that faced the parking lot and dining room. He commented that they might want to look into some type of outdoor seating with a trellis or shade canopy in the island area directly outside the front dining room if it were feasible. He said if they decided to create an outdoor seating area, Mr. Topp's suggestion about utilizing bollards would be applicable. Mr. Gershen asked if tables with umbrellas could be used instead of a trellis. Mr. Ziskal said that would be fine and the permit and review could be done at the same time if they submitted at the same time.

Mr. Ziskal commented that one retail building had a lot of elevation change with the roof line while the other retail building was just a square. He recommended some type of elevation change be made, such as parapets or cornices on the edges to add interest. Mr. Gershen said they were currently looking for tenants and they were not sure at this time whether it would be a one or two user building but they could do something. Mr. Ziskal said the glass on the sides and the light treatments and awnings looked good but a deviation in the roof line was needed.

Mr. Ziskal advised that that would need to meet with the appropriate departments for follow-up and then submit three final site plans to the City, signed and sealed, which would be circulated to the various departments for sign-off. He said they would not need to come before DRC again; however, they would need to get the variances before final sign-off would be given.

- 1D) **DRC NO. 03-16-04:** CONSIDERATION OF AN APPLICATION FOR A **SPECIAL EXCEPTION** USE FOR NEW CONSTRUCTION OF A BURGER KING RESTAURANT  
**LOCATION:** NORTHEAST CORNER OF STATE ROAD 7 AND N.W. 29<sup>TH</sup> STREET  
**ZONING:** TRANSIT ORIENTED CORRIDOR-CORRIDOR (TOC-C)  
**LEGAL DESCRIPTION:** A PORTION OF TRACT "A", "CORAL GATE COMMERCIAL", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 98, PAGE 17, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.  
**PETITIONER:** RYAN THOMAS, THOMAS ENGINEERING GROUP

Ben Ziskal provided a brief overview and explained that the drive-thru use was a Special Exception within the TOC that would require City Commission approval. He said that the City's Comprehensive Plan and Zoning Code discouraged auto-oriented development and uses unless they were designed to support multi-modal transportation, i.e., bicycle, pedestrian, or transit ridership. He said there was an existing bus stop on the site and the petitioner had advised in the preceding agenda item that they would widen the sidewalk to provide connectivity.

Mr. Ziskal recommended that the petitioner seek the necessary variances and obtain a close to final determination on the site plan design prior to the item going to the City Commission for review so that they would have an almost complete design when making their decision. He said the item had been approved in tandem with their previous item.

Mitch Pellecchia, 6890 N.W. 9<sup>th</sup> Street, said he recalled that there had been a moratorium on fast food/quick service restaurants in the TOC or Community Redevelopment Agency district and he asked if it was still in effect and whether it was part of the variance. Mr. Ziskal responded that there was not a moratorium but rather that fast food restaurants were discouraged unless they brought another tenant that had a retail component or a pedestrian-friendly design and was not strictly auto-oriented. He said any business with a drive-thru would be auto-oriented and it would get reviewed during the design process. He explained that while those businesses were still needed in the City, the idea was to have their designs done in such a way where the building was offset and there was something else on the property closer to the right-of-way that was not an auto-oriented business. Mr. Pellecchia asked if the adjoining retail for this item had been identified. Mr. Ziskal said currently no tenants had been selected. Mr. Pellecchia asked whether the business would operate 24 hours/7 days a week and whether the City's codes required video monitoring. Mr. Ziskal said the only type of businesses for which the City restricted the hours of operation was alcohol sales; retail or restaurants could operate 24/7. Mr. Pellecchia expressed a concern about crime that might occur with 24/7 operations and asked if the police would be able to retrieve video tapes from the retailers if needed. Lt. Paul Fix commented that video systems were not standardized and there frequently was an issue with video recovery. Lt. Fix asked Mr. Ziskal if there was a requirement for video surveillance with new construction. Mr. Ziskal indicated in a non-verbal manner that there was no requirement. Lt. Fix mentioned a few businesses that had extended hours and he said there had not been any significant crime at those locations due to their late night hours. Ms. Virgin said they proposed being closed from 6:00 a.m. to midnight and they proposed having full video surveillance. Lt. Fix added that the Police department had people on staff that specialized in recovering video.

Mr. Ziskal advised that they could proceed to the Board of Adjustment and then City Commission.

- 1E) **DRC NO. 03-16-05:** CONSIDERATION OF AN **ORDINANCE** AMENDING ARTICLE XVIII-RVRP DISTRICTS  
**LOCATION:** 1A SUNDIAL CIRCLE, MARGATE, FL 33068  
**ZONING:** RVRP  
**LEGAL DESCRIPTION:** PALM BEACH FARMS, A PORTION OF BLOCK 95, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 54, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.  
**PETITIONER:** MARK CROMPTON

Mark Crompton, Community Sciences, said they were asking for the ordinance to be amended to remove the restriction on habitable space. He said they were not asking for permanent habitable space; the spaces would still have the ten-month requirement.

Ben Ziskal explained that the ordinance was written as part of an amendment to the City's Comprehensive Plan. As part of the review process, he said that the Comprehensive Plan was routed to Broward County and the School Board. He said this ordinance would need to be coordinated with the School Board to get their interpretation of the school impact. He said currently the property was restricted from having habitable space. In addition, he said there were a series of corresponding documents including deed restrictions on the property, restrictive covenants, as well as a home owner's rules and regulations, which would also need

to be amended. He explained how the School Board and County might view the definition of a habitable RV lot and whether they might consider it a dwelling unit. He explained that determinations were needed from the County and School Board on how they would treat the impact of having a habitable structure on the same parcel as a recreational vehicle (RV) before a decision to amend the Comprehensive Plan could be made.

Mr. Crompton said they would explain to them [School Board and County] that they understood the ten-month restriction would still apply and that they were not looking to change it to be permanent and year-round. He said they would also outline the restrictions they were placing on it for the benefit of the residents of Aztec as well.

#### **DRC Comments:**

Mary Langley commented that plans would need to be submitted to show the appropriate use and that they would need to comply with the Florida Building Code for the habitable space. She expressed a concern about the existing shed structures and asked if residents of those would be allowed to convert them into legal, habitable spaces. Mr. Crompton said the amendment would give them the option and they would handle it on a lot by lot basis and work through the Building Department. Ms. Langley told him that certain code requirements would be triggered.

Kevin Wilson advised that if the existing sheds were converted into habitable spaces, they would be required to have egress windows and smoke detectors. Mr. Crompton said he understood.

Diane Colonna had no comment.

Dan Topp had no comment.

Lt. Paul Fix had no comment.

Abraham Stubbins advised that plumbing would be required. Mr. Crompton said they [existing sheds] already had electrical and plumbing.

Kelly McAtee had no comment.

Mr. Ziskal said the next step would be for the petitioner to meet with Economic Development staff and work to get a determination from Broward County and the School Board. Then the ordinance would move to the Planning and Zoning Board for consideration. He said if a Comprehensive Plan amendment were needed, it would be considered a separate item and would need to start by going through the DRC review process.

#### **1F) DRC NO. 03-16-06: CONSIDERATION OF AN ORDINANCE TO INTRODUCE THE 11CG ALCOHOL LICENSE FOR GOLF COURSES**

Ben Ziskal explained that the request had come from a local public golf course, and it was to add the ability for a golf course to receive an allocation for a public golf course license to the Zoning Code. He said it was a separate license under the Florida Statute for alcohol licenses and it was one that Margate did not have. Currently, in order for alcohol to be served at the golf

course, he said the golf course had to obtain a 4COP SRX license which was a different license that had food and square footage requirements. He said the golf course asked that the City look into allowing this other allocation and that it made sense. He said he also reviewed the list of alcohol licenses and identified several other alcohol licenses currently not offered by the City, such as one specifically for bowling alleys.

Mr. Ziskal said he recommended approval of this ordinance as written. He also asked the Committee for feedback on making a recommendation to the Planning and Zoning Board to have the noted section of the Code be reviewed in its totality, particularly with regards to the upcoming City Center development, including a review of where the alcohol district lines were drawn. He pointed out that the districts changed at Margate Boulevard and U.S. 441 and all three corners were in separate alcohol districts which meant that if an allocation were gone, a restaurant could be told that alcohol could not be served while a restaurant across the street could serve alcohol. He said the districts were likely drawn prior to the current development pattern and districts might no longer be viable. None of the Committee members had comments.

Mr. Ziskal said the ordinance would proceed to Planning and Zoning. He said he would request a legal opinion on whether the changes could be incorporated into this ordinance or whether he should move this item forward and bring back another ordinance with the changes.

Mitch Pellecchia, 6890 N.W. 9<sup>th</sup> Street, asked which golf course made the request. Mr. Ziskal said all the golf courses had licenses, and it was Oriole Golf Course that made the request. He said they [Oriole] currently had a 4COP SRX license, the same license as Applebee's. He said golf courses had to meet the food and square footage requirements of an Applebee's when there was a license available through the State specifically for golf courses.

1G) **DRC NO. 03-16-07: CONSIDERATION OF AN ORDINANCE FOR A CITY-WIDE MORATORIUM ON CHARTER SCHOOLS.**

Ben Ziskal explained that the City Commission had directed staff to create a moratorium on charter schools for the following reasons:

- several pieces of legislation have been filed in Tallahassee that might change the manner in which charter schools were funded, how charters were allocated to the schools, and the manner in which they were sited within a community and the types of properties on which they could be located.

- a number of charter schools in Broward County, including one in Margate, had opened, received money from the School Board, and then closed without advance warning forcing parents to find a new school. He said a charter school in Margate sent letters to parents on the Thursday prior to the end of winter break advising them the school would not be reopening on Monday and they had to find a new school.

- there had been a proliferation of charter schools. He said while Margate had only a few charter schools, it often received inquiries. He said the community and the City Commission had concerns that without providing amendments to the City's Zoning Code and without providing distance separations, Margate could see small charter schools opening in a number of shopping centers and flooding its commercial areas.

Mr. Ziskal explained that the ordinance before them was to pass a moratorium for six months, the maximum allowed by State Statute, to give staff time to evaluate the changes that came out of Tallahassee and also to look at any necessary changes to Margate's Code so as to allow the right charter schools without oversaturating the commercial sectors.

**DRC Comments:**

The Committee had no comments.

Mr. Ziskal advised that the ordinance would move forward to Planning and Zoning.

- 1H) **DRC NO. 03-16-08: CONSIDERATION OF A PLAT AMENDMENT FOR INFANTE II**  
**LOCATION:** N.E. CORNER OF NORTH STATE ROAD 7 AND N.W. 31<sup>ST</sup> STREET  
**ZONING:** TRANSIT ORIENTED CORRIDOR-GATEWAY (TOC-G)  
**LEGAL DESCRIPTION:** A PORTION OF PARCEL "A", INFANTE II, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 168, PAGE 11, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.  
**PETITIONER:** NECTARIA M. CHAKAS, ESQ., LOCHRIE & CHAKAS, P.A.

Robert Lochrie III, Lochrie & Chakas, stated that their request was to add 100 mid-rise senior living residential units to the Infante II plat. He said it would be an age-restricted community and, as such, Broward County had asked them to add a sentence within it that stated that there would be no school age children on the site. He said a site plan would be submitted in the future for consideration.

**DRC Comments:**

Mary Langley had no comment.

Kevin Wilson said a second gate would be needed on U.S. 441 to stabilize sub-grade. He said the location of the Fire Department Connection and hydrants could be discussed in the future.

Diane Colonna had no comment.

Lt. Paul Fix had no comment.

Dan Topp had no comment.

Abraham Stubbins had no comment.

Kelly McAtee had no comment.

Ben Ziskal asked Mr. Lochrie to explain the state funding that they received in order to maintain it as an affordable senior living facility, as well as the legal mechanisms that would be put in place to ensure that it remained an affordable living project.

Mr. Lochrie said the State required that a deed restriction be placed on the property which would ensure that it would be an affordable project for 50 years, and it would be age-restricted for individuals 55 years of age or older.

Mr. Ziskal explained that the property was located within the TOC district and that there was a pool of residential units within the TOC that could be allocated to projects, in addition to reserve and flex units. He said there was a requirement in the TOC whereby the City had to provide 15 percent of the units as affordable housing. He said the intent was to allocate units out of the TOC affordable pool for this project, and then to work with Broward County to be able to use flex units for any non-affordable units developed in the rest of TOC in the future. He said Staff had been in contact [with the County] regarding the process for getting the TOC units allocated to the project. He said it was an administrative allocation, however, it required that site plan approval and other approvals given to the project were entitled to the property and if the project did not get built within a certain time period, the project would forfeit the units, noting that it was not an allocation in perpetuity.

Mr. Ziskal said the item would move to the next step which would be to the City Commission. Mr. Ziskal asked for an update on a previous discussion that had taken place with the petitioner about the non-vehicular access line and the possibility of shifting some entrances and changing the sketch to the plat which he said would be a separate item. Mr. Lochrie said they were looking at it and it would be part of the site plan submittal; he said a non-vehicular access line might be needed.

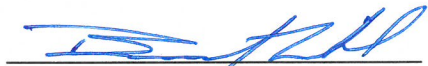
### 3) GENERAL DISCUSSION

There was no discussion.

There being no further business, the meeting adjourned at 11:21AM.

Respectfully submitted,

Prepared by: Rita Rodi



Date: 26 APR 16

Benjamin J. Ziskal, AICP, CEcD  
Director of Economic Development

cc: Mayor and City Commission, City Manager, City Attorney, Associate Planners,  
Petitioners, Committee Members