



## **CITY OF MARGATE**

### **DEVELOPMENT REVIEW COMMITTEE (DRC) REVIEW #1**

***April 12, 2022***

<b>PROJECT NAME:</b>	Abundant Life Christian Centre, Inc		
<b>PROJECT NUMBER:</b>	2022-180		
<b>LOCATION:</b>	1490 Banks Rd		
<b>APPLICANT/AGENT:</b>	Dennis Mele, Esq, Greenspoon Marder, agent for Bishop Richard Thomas		
<b>REVIEW/APPLICATION</b>	Special Exception – Private School		
<b>DISCIPLINE</b>	<b>REVIEWER</b>	<b>EMAIL</b>	<b>TELEPHONE</b>
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**Any questions regarding the DRC Comments, please contact the appropriate department.**

**Applicant is required to provide a response to EACH DRC Comment indicating where and how the application was revised (*acknowledgements are not corrections*). Plan changes are to be clearly identifiable. Advisory notes are for informative purposes only, and do not require correction.**

**ALL corrections must be provided in ONE submittal package at the time of the submittal appointment with a DSD planner.**

**DRC Comments below.**

#### **LEGEND:**

Prior comment resolved

Unresolved comments noted as “[**COMMENT ONGOING: (date comment was issued)**]”

**New Text/Comment for latest submittal**

## DEPARTMENTAL COMMENTS

### BUILDING

**ADVISORY NOTE 1:** With respect to the site plan Building has no comments. If renovations will be part of this project, then building permits will be required.

**COMMENT 1:** Provide an ADA accessible route from the building to the public sidewalk.

**COMMENT 2:** If driving age children will now be attending school at this location will additional parking be required?

### FIRE

**COMMENT 1:** A new educational occupancy would be required to meet all the current Florida and Broward Fire Prevention Codes. Currently The 7<sup>th</sup> edition of the Florida Fire Prevention code Chapter 14 (new educational occupancies) requires all new educational buildings to be protected throughout by an approved, supervised automatic fire sprinkler system.

### PUBLIC WORKS

**ADVISORY NOTE 1:** Given that there are no plans, Public Works considers that there are no potential impacts of the proposed special exception to existing infrastructure.

### POLICE

**COMMENT 1:** The traffic study submitted includes several errors (roadways, city, buildings, zone drop/off, etc.) that must be corrected.

**COMMENT 2:** The traffic estimates do not appear to be accurate. The existing study lacks clarity on the manner student drop-off and pick-up will occur. The current study seems to indicate all of the existing parking spaces will be used during these times to alleviate vehicle queuing on Banks Road.

**COMMENT 3:** If the property owner intends to change/utilize the entire building as a school, the installation of flashing school traffic beacon signs must be installed on Banks Road (north and south) at the property owner's expense.

### CRA

**ADVISORY NOTE 1:** The proposed project is within the CRA boundary and is generally deemed to not be in conflict with the Margate Community Redevelopment Plan.

### ENGINEERING

The Director of the Department of Environmental and Engineering Services, or his qualified designee, has conducted a review of the submitted documentation in accordance with Article IV, Chapter 31 of the City of Margate's Code of Ordinances.

#### **PREAMBLE**

The Traffic Statement dated 02/02/2021, is the identical statement originally provided and although staff requested additional information, none was provided. The first Traffic Statement was prepared using the 10<sup>th</sup> Edition of the Trip Generation Manual. At the time of this writing, the 11<sup>th</sup> Edition is available.

The Engineer obtained most of the data from the school and appeared not to have corroborated this data. The data collected from the Academy was not submitted with the traffic statement and staff is unable to verify its validity.

#### **A. TRAFFICWAYS**

1. The Traffic Statement analyses the current school population and does not address increased potential student enrollment.
2. The traffic Statement states the number of daily trips is 1,234, and this exceeds the threshold of 500, which requires a "Traffic Impact Statement" (TIS). The TIS shall *"assess the impact of the proposed development on all public streets and intersections within a one mile radius of the perimeter"* of the development.
3. Although the Traffic Statement discussed available capacity on Banks Road, Copans Road, and Coconut Creek Parkway, it is unclear if these roads, in addition to all public streets within a mile radius, were assessed.
4. Although the Traffic Statement analyzed two intersections, one south of the site at Coconut Creek Parkway and Banks Rd and another north of the site at Copans Rd and Banks, there are other intersections within a one-mile radius that ought to be assessed including but not limited to Coconut Creek and SR 7, and W Copans and SR7.
5. The Traffic Study does not identify lengths and dimensions of drop off areas.
6. Existing signage for traffic does not meet industry standards.
7. The TIS analyzed the onsite accumulation of vehicles for the proposed maximum student capacity and determined that "the school has sufficient on-site accumulation capacity to prevent traffic backing up onto Banks Road during the school's arrival and dismissal peak periods".

#### **B. POTABLE WATER AND WASTEWATER**

1. The increased student population shall be the basis for calculating water and sewer demand.
2. Based on 465 students (50 pre-school, 262 elementary school, 130 middle school and 23 high school), the service demand of 7,205 GPD will be met by the City's water and wastewater plants.
3. The determination in (2) shall not be construed as a reservation of capacity for the development unless a developer's agreement has been executed with the City specifically reserving water and wastewater treatment capacity.

#### **C. DRAINAGE**

1. Provide copies of the permits and associated documentation, including plans and drainage calculations, referenced in your concurrency review. Such documentation shall demonstrate that the proposed site has been approved and accepted by Cocomar Water Control District and SFWMD.

#### **D. SOLID WASTE**

##### **ADVISORY NOTE:**

1. The owner shall contract with the City's vendor for waste collection (Republic) to provide service.
2. The owner shall select from a list of City approved vendors for recycling services.

#### **E. PARKING LOT LIGHTING**

1. Replace broken fixtures.
2. Submit a photometric plan to show compliance with the City Code.

#### **F. FLOOD PLAIN**

##### **ADVISORY NOTE:**

1. Most of the property is located within a Shaded Zone X Flood zone with no BFE requirements. Lands contiguous with water bodies to the north and south are in an AE Flood Zone with BFE 11 Feet.

### **DEVELOPMENT SERVICES**

**ADVISORY NOTE 1:** This DRC application is a development permit, and as such is subject to the requirements of Chapter 31 of the Code of the City of Margate (CCM).

**ADVISORY NOTE 2:** When staff informed the applicant that a site plan is an application requirement for a special exception use, the applicant appealed staff's decision to the Board of Adjustment. On December 7, 2021, the Board of Adjustment found special circumstances with this property and applicant and overturned the staff decision. The applicant was not required to provide a site plan with this special exception application.

**ADVISORY NOTE 3:** The subject property has two land use designations. The southern half of the property where the building is located has a commercial land use designation. The northern half of the property where the athletic fields are located has an Industrial land use designation. Policy 1.1.2 of the Future Land Use Element, of the Margate Comprehensive Plan describes the various uses permitted in each land use category. The Commercial land use designation allows community facilities. The industrial land use designation allows community facilities as long as the location of those uses does not preclude or adversely affect the future use of surrounding areas for industry. The proposed use is permitted by the Comprehensive Plan.

**ADVISORY NOTE 4:** The subject property has two zoning designations. The southern half of the property where the building is located is within the CF-1 Community Facilities district. The northern half of the property where the athletic fields are located is within the M-1A Industrial Park district. On July 13, 1994, the City Commission granted a special exception use for the athletic field and basketball on the northern half of the property via Resolution 7652.

In the CF-1 zoning district, public or private elementary, middle, or high school is only permitted as a special exception use, with the following four requirements:

1. Schools shall not be located on roadways classified by Broward County Metropolitan Organization's Broward Highway Functional Classifications Map as arterial roadways. Access to schools shall not be from roadways classified by Broward County Metropolitan Organization's Broward County Highway Functional Classifications map as arterial roadways.
2. School must be located in freestanding single use structure(s), located on a parcel no smaller than the minimum size required by the School Board of Broward County for public schools. As an exception, charter schools may be permitted as an accessory use if located within an existing library, community service facility, museum, performing arts center, theatre, cinema, religious institution, Florida College System institution, college, or university facility, in accordance with F.S. 1002.33(18)(C).
3. School must provide a student drop off area for motorists that is dedicated to student drop off activities and will not interfere with onsite parking or roadways adjacent to the school. The appropriate length and dimensions of the drop off area shall be identified in a traffic study prepared by a professional engineer licensed in the State of Florida.

4. In order to allow sufficient time to secure required development order, building permit, and local business tax receipt approval, a special exception use application and fee must be filed with the Development Services Department at least nine (9) months before the start of the school year. This time requirement cannot be waived or reduced.

**ADVISORY NOTE 5:** The subject property is located at the intersection of Banks Road and NW 15<sup>th</sup> Street. Banks Road is classified as major collector, and NW 15<sup>th</sup> Street is considered a local road on the Broward County Metropolitan Organization's Broward County Highway Functional Classifications map.

**COMMENT 1:** The subject property is approximately 11.6 acres in area. Applicant's special exception narrative and traffic indicate that the Abundant Life School offers elementary, middle, and high school classes. The School Board of Broward County has the following size requirements for the different levels of schools:

- 1) An elementary school site should be at least twelve (12) acres in size. The recommended site is rectangular in shape with 700 feet of frontage and 750 feet of depth.
- 2) A middle school site should be at least twenty (20) acres in size. The recommended site is rectangular in shape with 1200 feet of frontage and 730 feet of depth.
- 3) A high school site should be at least forty-five (45) acres in size. The recommended site is rectangular in shape with 1320 feet of frontage and 1480 feet of depth.

The subject property does not meet the minimum size requirements established by Section 11.2 of the Margate Zoning Code (MZC).

**COMMENT 2:** Applicant's traffic study notes that the drive aisles on the property can accommodate approximately 95 circulating vehicles, and anticipates that 194 vehicles will arrive for each drop-off and pick-up cycle. All drop-offs are scheduled between 8:00 AM and 8:30 AM, and all pick-ups are staggered between 2:45 PM and 3:30 PM. The traffic engineer indicates that the on-site parking will provide the additional capacity needed to service the student drop-off and pick-up, however, this is not accurate. The school has set-up cones and other traffic devices to direct traffic, and this equipment blocks access to a number of parking spaces. Further, if the drive-aisle is full of queueing vehicles, the parking spaces will not be accessible. The subject property, in its current configuration, cannot manage student drop-off and pick-up activities without interfering with on-site parking or adjacent roadways, and therefore does not meet the requirements established by Section 11.2 (MZC).

**ADVISORY NOTE 6:** All special exception use applications are required to meet 10 general standards of review, as follows:

- (1) The special exception shall be consistent with the purposes, goals, objectives and policies of the Margate Comprehensive Plan and the Margate Code of Ordinances.
- (2) The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.
- (3) The establishment, maintenance or operation of the proposed use shall only be approved if in the best interest of the city. It shall be determined that a genuine need for the use is present in the city to support and justify the approval order to avoid creating an excessive proliferation of said special exception use.
- (4) The proposed use shall be compatible with the existing natural environment and community character of the properties within the immediate neighborhood.
- (5) Utilities, roadway capacity, drainage, and other necessary public facilities, including police, fire and emergency services, shall exist at the city's adopted levels of service, or will be available concurrent with demand as provided for in the requirements of this Code of Ordinances.
- (6) Adequate measures exist or shall be taken to provide ingress and egress to the proposed use, for both vehicles and pedestrians, in a manner that minimizes traffic congestion on public streets, and the use may not result in a significantly greater amount of traffic on local streets than would result from a development permitted by right.
- (7) There shall be adequate parking areas and off street truck loading spaces (if applicable) consistent with the parking requirements of the Code, and the layout of the parking and vehicular use areas shall be convenient and conducive to safe operation consistent with city standards to the greatest extent possible.
- (8) The establishment of the special exception shall not impede the development of surrounding properties for uses permitted in the zoning district nor have a negative impact on the value of those properties;
- (9) The design of the proposed use shall minimize adverse effects, including visual impacts, of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria.
- (10) The city commission finds that the granting of the application will be in the best interest of the city.

**COMMENT 3:** The above two comments preclude staff from making a positive finding on the first general standard of review. Further, the concerns associated with the traffic study will not allow staff to make a positive finding on general standards of review #'s 2, 6, and 7.

**COMMENT 4:** Section 23-3 (CCM) provides that the provisions of the landscaping code regarding installation of new landscaping material shall apply at the time that a special exception use application is submitted. Staff observed deficiencies in perimeter landscaping along Banks Road, and deficiencies in interior landscaping, in the vehicular use area. See section 23-6(B)(1) and 23-8 (CCM) for more information on these requirements.

**COMMENT 5:** Section 23-9 (CCM) requires nonconforming sites to install dumpster enclosures at the time an application is filed for a special exception use. Staff observed two dumpsters behind the building on the subject property that did not have proper enclosures.