



**DEVELOPMENT SERVICES DEPARTMENT
STAFF REPORT**

Project Name: The Forest Apartments
Applicant: Matthew H. Scott, Esquire, agent for Saul Perez, Rez se Land, LLC
Project Location: 767, 777 & 787 South State Road 7
DRC #: 23-400045
Application Type: Subdivision Resurvey

I. RECOMMENDATION :

CONDITIONAL APPROVAL

II. SUMMARY:

Saul Perez, Rez se Land, LLC (“Applicant”) has submitted a Subdivision Resurvey application related to developing the 338-unit multi-family development identified as The Forest Apartments. The property lines shown on the plats associated with The Forest Apartments and the site plan for a parking lot associated with the office park and the apartments need to be rearranged for the projects. The Margate Development Review Committee (“DRC”) recommended approval on June 25th, 2024. The DRC meeting minutes are attached to this staff report as Exhibit A. Approval of this application is contingent upon the Special Exception application being approved.

III. ANALYSIS:

Background

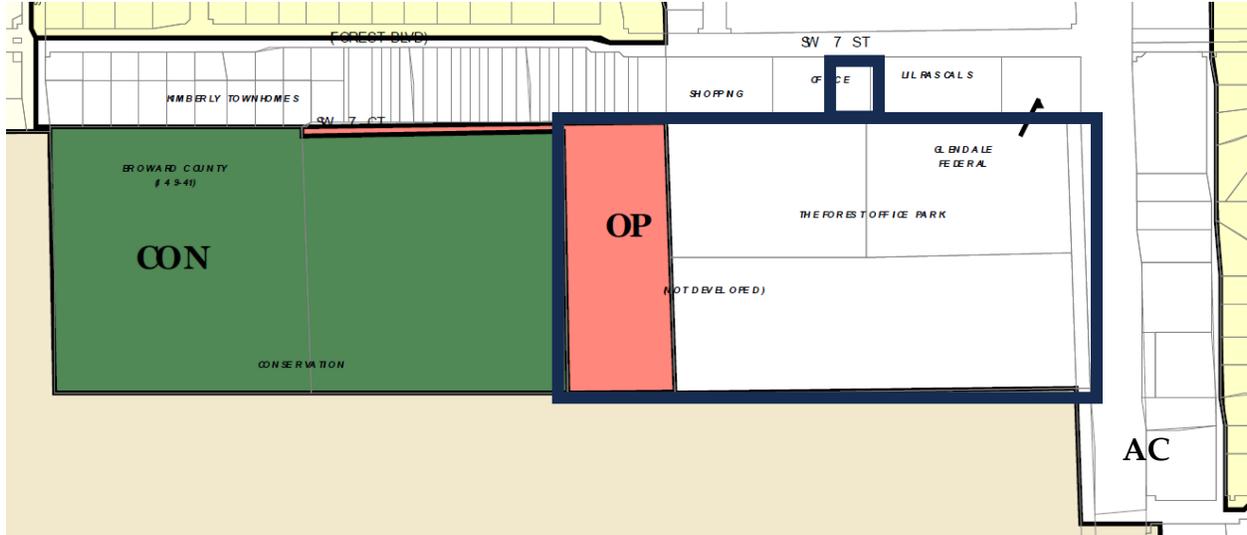
The subject property is zoned Gateway with a Future Land Use designation of Activity Center. It is generally located on the west side of South State Road 7 abutting the southern boundary of the City with the City of North Lauderdale. It consists of 19.9651 acres (869,679.756 sq. ft.) between three (3) plats that have been divided into four (4) parcels by deeds, identified with folio numbers: 494101310010, 494101310011, 494101310020, 494101330010:

1. Minimart Development Corporation Subdivision as recorded in Plat Book 81, Page 49 of the public records of Broward County, Florida
2. 441 South, LTD. II plat as recorded in Plat Book 124, Pages 16 of the public records of Broward County, Florida
3. The Forest plat as recorded in Plat Book 129, Pages 41-42 of the public records of Broward County, Florida

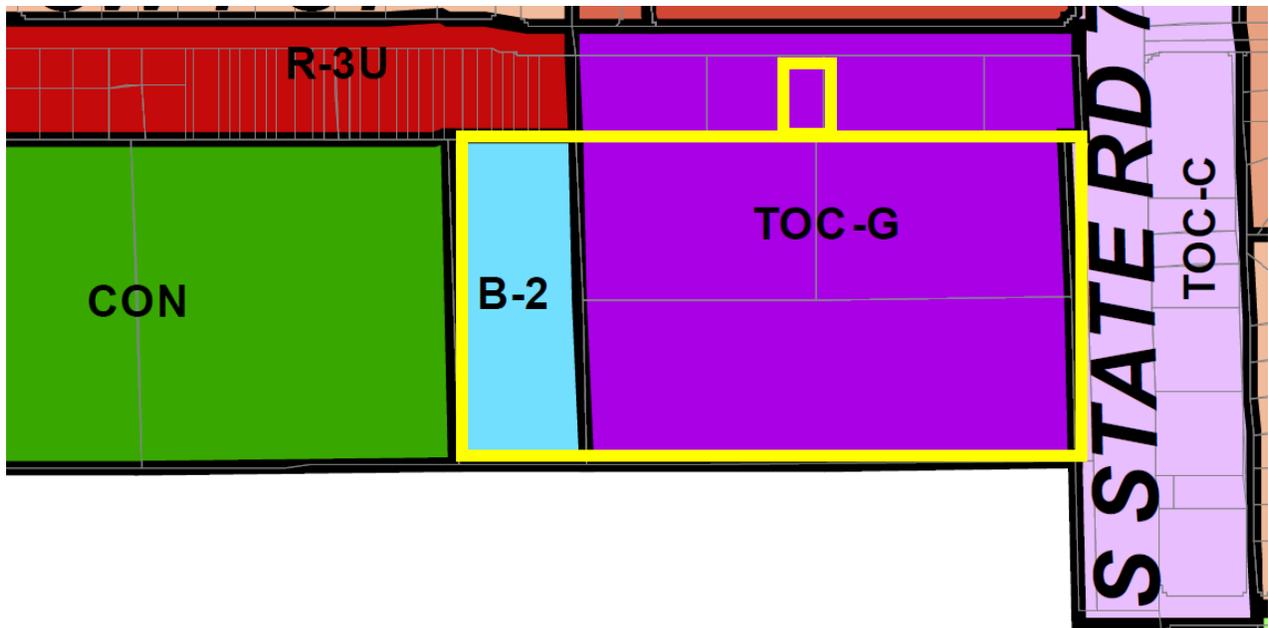
The table below identifies the surrounding properties:

<u>DIRECTION</u>	<u>USE</u>	<u>FUTURE LAND USE</u>	<u>ZONING</u>
North	Retail, Place of Assembly, Child Care Facility	Activity Center	Gateway
South	Vacant (former car dealership)	Commercial	B-3
East	South State Road 7, Self-Storage	Activity Center	Corridor
West	Nature Preserve	Conservation	Conservation

Future Land Use Plan Map



Zoning Map



Subdivision Resurvey Location and Key Map – Showing proposed new lot lines



Parcel 1: 2.0374 acres (88,750 sq. ft.)
Parcel 3: 2.057 acres (89,605 sq. ft.)

Parcel 2: 7.1301 acres (310,585 sq. ft.)
Parcel 4: 8.7406 acres (380,740 sq. ft.)

All of the applications related to this project were reviewed by the DRC on March 12th, 2024, and again on June 25th, 2024, where they received conditional approval. Other than approval of the Special Exception in order for the residential site plan to get final sign-off, the conditions are all regarding having required documents recorded prior to issuance of Engineering and Building permits. Specifically, 1) record a Unity of Title for the portion of the parking lot being purchased to join it with the residential development (Parcels 2 & 3 of the Subdivision Resurvey), 2) record the Easement Agreement, 3) record the Master Parking Agreement, 4) record the Drainage Agreement, and 5) record the Subdivision Resurvey.

Findings

Subdivision resurveys are subject to the requirements for a Subdivision Resurvey and a Development Adequacy Determination, the criteria are listed below; staff's findings are indicated in ***bold italics***.

§3.11. - Subdivision resurvey required.

When any lot, tract, or other parcel of land, however designated, which is part of a subdivision recorded in the official records of Broward County after May 30, 1955, and which has been approved by the city commission of the City of Margate, is further subdivided or resubdivided for the purpose

of development, the following requirements shall be met prior to the issuance of a development permit:

(1) A survey of the subject property, containing all of the applicable information required by Section 31-18 of this Code, shall be prepared by a registered engineer or surveyor.

Provided and is attached as an exhibit.

(2) The proposed parcel(s) shall meet the requirements of Section 31-19(A) through (E) of this Code as determined by the city commission.

These are design standards which have all been met.

(3) Any land within the parcel that is necessary to comply with the Margate trafficways plan shall be conveyed to the public by deed or grant of easement.

No additional land was needed for the trafficways plan, an easement is being granted to accommodate the multiuse path so the existing mature trees in the right-of-way do not have to be removed to construct the path.

(4) The developer shall submit to the city clerk a performance bond for subdivision improvements and inspection fees as required by Section 16.3 of this appendix.

None are required.

(5) The developer shall file a reproducible copy of the instrument with the city clerk with payment as specified in the Fee Schedule adopted by Resolution of the City Commission of the City of Margate and all recording fees.

The developer will provide this to the City Clerk should the application be approved by the City Commission.

§31-18. - Procedure for preparation and filing of plats

(C) Final plats.

(1) Submission.

(a) The original of the final plat in portable document format (pdf), together with all supporting documents, shall be submitted to the city for review at least thirty (30) days prior to a City Commission meeting considering same. The final plat shall be accompanied by the following:

1. Pavement and drainage plan approval.
2. Utility plan approval (water and sewer).
3. Drainage district approval, as applicable.
4. Opinion of title from a licensed Florida attorney.

(b) Should final approval from an agency other than the city be pending on any of the items listed in (C)(1)(a)1.—3. above, the application for final plat may still be submitted for consideration by the City Commission for conditional approval. Such application for final plat approval shall be accompanied by proof of submission of the required application(s) to the respective agencies for which final approval is pending. Whenever available, confirmation of receipt of an application by the agency shall also be submitted with the application for final plat approval. Any approval of a final plat application submitted pursuant to this subsection shall be conditioned and contingent upon receipt of final approval from the respective agencies.

The pavement and drainage plans and utility plans have received conditional approval and are part of applications, 23-400046 The Forest Residential Site Plan and 23-400044 The Forest Office Parking Lot Site Plan, that have been conditionally approved by the DRC. Proof of submittal of the drainage permit and Opinion of Title have been provided.

§31-42 Development subject to adequacy determination.

(c) For a replat, or an amendment to a note on a plat, or a requirement to place a note on a plat, where property was platted after March 20, 1979, an adequacy determination shall be required for those additional trips that equal the difference between the previous plat and the replat; or the previous note and the proposed amendment to the note; or the development approved by the county commission at the time of plat approval and the proposed note to be placed on the plat.

The applicant has provided a traffic study showing that the roadway network will have acceptable levels of service and will pay impact fees to Broward County for the additional trips generated by the 338 mid-rise dwelling units.

(d) ...All plats approved after October 1, 1989, by the Broward County Commission and all development permits approved after December 1, 1989, by the City of Margate must undergo adequacy determinations to meet concurrency.

The applicant has provided evidence that there will be adequate facilities in place at the time of development that meet the levels of service for drainage, recreation, potable water, public schools, solid waste, transportation, and wastewater (the developer will be upgrading the pumps at the lift station it will be served by).

Summary

As described above and in the attached exhibits, staff finds that this application satisfies the Subdivision Resurvey criteria and recommends approval subject to the conditions of the DRC.



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Development Services Department