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REGULAR MEETING OF THE DEVELOPMENT REVIEW COMMITTEE MINUTES

Tuesday, January 10, 2017
10:00 AM
City of Margate
Municipal Building

PRESENT:
Ben Ziskal, AICP, CEcD, Director of Economic Development
Timothy Finn, Senior Planner
Andrew Pinney, Associate Planner
Tom Vaughn, Building Department
Kevin Wilson, Fire
Diane Colonna, CRA Executive Director
Abidemi Ajayi (A.J.), Engineering
Jeanine Athias, Engineering
Lt. Paul Fix, Police Department
Lt. Joe Galaska, Police Department
Dan Topp, Code Compliance Officer

ALSO PRESENT:
Mitchell Pellecchia, Margate Waterfront Foundation

ABSENT:
Abraham Stubbins, Utilities
Michael Jones, Director of Parks and Recreation
Sam May, Director of Public Works

The regular meeting of the Margate Development Review Committee (DRC), having been properly noticed, was called to order by Ben Ziskal at 10:00 AM on **Tuesday, January 10, 2017** in the City Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, FL 33063.

1A) APPROVAL OF THE MINUTES FROM THE DEVELOPMENT REVIEW COMMITTEE MEETING ON NOVEMBER 22, 2016.

1B) APPROVAL OF THE MINUTES FROM THE DEVELOPMENT REVIEW COMMITTEE MEETING ON DECEMBER 13, 2016.

The minutes for both meetings were approved as written.

2) **NEW BUSINESS**

2A) **DRC NO. 01-17-01** CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 14 FIRE HYDRANTS AND DELETING SECTION 39.4.1

ENFORCEMENT OF FIRE HYDRANT REQUIREMENTS OF THE CODE OF ORDINANCES.
PETITIONER: CITY OF MARGATE, DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING

Jeanine Athias, City of Margate Engineering and Environmental Department, explained that the purpose for the ordinance was to update the definitions and language to meet current requirements and to clarify distance requirements and distribution line sizes. She said it also updated the painting and identification of hydrants based on gallons per minute instead of liters; and, hydrant requirements during construction activities were also added. She said the ordinance had been presented to Dan Booker and he reviewed it and provided comments which she said were addressed prior to its submittal to the Development Review Committee. She said Mr. Booker's comments were in regards to the pipe sizing that she said had been decreased in industrial areas but was sufficient based on the pressure of the City's system. She said there were areas that had the older system and they were constantly being upgraded to be brought up to the standard of 1,500 gallons per minute.

DRC Comments:

Tom Vaughn had no comments.

Kevin Wilson had no comments.

Dan Topp had no comments.

Andrew Pinney had no comments.

Lt. Paul Fix had no comments.

Diane Colonna had no comments.

Ben Ziskal advised that the item would be scheduled for the Planning and Zoning meeting on February 7, 2017, and then it would proceed to the City Commission for two readings in March.

2B) **DRC NO. 01-17-02** CONSIDERATION OF AN **ORDINANCE** TO AMEND THE EXPEDITED REVIEW TIME LIMITS AND FEES FOR OUTDOOR EVENTS AND DEVELOPMENT PROPOSALS SUBMITTED TO DEVELOPMENT REVIEW COMMITTEE
PETITIONER: CITY OF MARGATE, ECONOMIC DEVELOPMENT DEPARTMENT

Timothy Finn explained that Staff had been receiving Outdoor Event and Development Review Committee (DRC) applications within 14 days of a DRC meeting. He said the applications were submitted under the current ordinance which allowed for expedited review; however, they did not allow Staff adequate time for thorough reviews. He said the proposed ordinance would eliminate the option for an expedited review for development proposals and outdoor events submitted to the DRC in less than 30 days; all applications must be submitted at least 30 days prior to the DRC meeting. It would allow Staff additional time to thoroughly review the items being submitted and to write Staff reports he said.

DRC Comments:

Tom Vaughn had no comments.

Kevin Wilson had no comments.

Dan Topp had no comments.

Andrew Pinney had no comments.

Jeanine Athias had no comments.

Lt. Joe Galaska agreed that two weeks was not enough time, especially if he was trying to use voluntary off-duty officers to staff an event.

Diane Colonna had no comments.

Ben Ziskal advised that the expedited review process was added into the Code during the recession when construction was slow and there were few applications. However, he said now there were a lot of events and new site plans and big construction projects that have been moving their way through the approval process from DRC on to the Board of Adjustment, Planning and Zoning, or the City Commission. He said an incentive that the City had to assist with the development process was that it had one of the lowest DRC fees in the County. As such, he said almost every applicant was willing to pay the double fee in order to be heard within two weeks, and this placed an unnecessary burden on all of the departments to review the projects and to come up with adequate comments.

Mr. Ziskal said the expedited review process was being removed for the entire development process and proposals must be submitted 30 days prior for Planning and Zoning, DRC, and City Commission. He said this change would allow time to conduct thorough reviews and prepare formal staff reports in the near future. He noted that while the review process might be a bit longer on the front end, gathering all the comments up front would assist the DRC on the back end.

Mr. Ziskal said the proposed ordinance would move on to the Planning and Zoning Board in February and to the City Commission in March.

2C) **DRC NO. 01-17-03** CONSIDERATION OF AN OUTDOOR EVENT FOR THE MARGATE WATERFRONT FOUNDATION ON JANUARY 26-FEBRUARY 5, 2017
LOCATION: 1000 NORTH STATE ROAD 7
ZONING: TRANSIT-ORIENTED CORRIDOR-CITY CENTER (TOC-CC)
LEGAL DESCRIPTION: PARCEL "A" OF THE MARGATE 3RD ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 44, PAGE 48, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
PETITIONER: MITCHELL PELLECCHIA, THE MARGATE WATERFRONT FOUNDATION

Mitchell Pellecchia commented on the coincidence of his request following the discussion on the previous item regarding the expedited review process. He explained that the reason it came

about as such had to do with what was currently happening in our society at public events and schools with what were considered unpredictable circumstances.

He said his request was for use of the police sky tower. He said he was not looking for approval of the event because the event had been already approved by the Community Redevelopment Agency (CRA). He said his thoughts were to have the police sky tower at the event for the duration of the carnival as well as to have the presence of the Special Response Team (SRT) on Saturday nights. He said it upset him to have to make this request. He said the reason was to intimidate potential troublemakers that might come to the carnival. He said he read some of the police statements and reports about occurrences at past carnivals, particularly the one in November, 2016 when police were confronted with a serious situation involving unruly crowds.

Mr. Pellecchia said cancelling all carnivals was a viable option but it would not be sending the best message to the taxpayers and the public for what might have been isolated events. He said attracting people from outside the City was one of the goals of the CRA. He said the carnivals were highly successful events and they helped raise funds for the church to feed the poor, the police to help the schools, the firefighters benevolent in their efforts in the community, and it would help his organization to raise money to put kayaks in canals. He commented how nice it was to the SRT's presence at the Winter Festival and he said he thought it would be a good opportunity for young people to see what the SRT about all about. He said it was also a good opportunity for the police to step forward and increase the resident's impression that the City of Margate was taking an extra step on their behalf. He said he was doing the carnival strictly for the benefit of the Foundation and for the City of Margate. He commented that there was a Board that oversaw all their expenditures and that they had $1,500 at the present time. He said he felt it was an appropriate use of police assets at carnivals that drew thousands of people. He said it was too late to cancel the carnival and that he was relying on the City to step forward and fund extra police. He said he understood Lt. Galaska's comments about getting volunteers at short notice but he said the carnival would provide work for those looking for special assignments. He suggested putting up the police boards with a warning that trouble would not be tolerated. He commented that he understood that it [police protection] could be a costly pursuit but his review of State Statutes revealed that an event such as this could be funded by law enforcement trust funds. He suggested contacting law enforcement in other cities. He also suggested having a strategic plan for the carnival that would address ways to prevent the unwanted crowds. He questioned whether the active shooter incidents were a trend that would continue or subside on their own. He said he did not think they would go away and the solution was prevention by having a strong police presence at City events.

Ben Ziskal explained that while the CRA had given approval for the use of its property, the event still needed to be approved by the City and that was the reason it was before the Development Review Committee (DRC) that day. He said the DRC reviewed all events for compliance with City Code for the various departments, and it focused on permitting issues, fire safety, water service, zoning, signage and police and safety. He said the DRC was not able to approve or negotiate any fees; those would need to be done by the City Commission or the CRA.

DRC Comments:

Tom Vaughn said they would need to submit for any necessary permits. Mr. Pellecchia apologized for not being aware that he needed to be at DRC when he received approval from the CRA and that he said he took responsibility for it. He said he understood from his conversation with the carnival operator [Hildebrand Rides] that John Verona was working things out with Harlan Bast. He said Mr. Verona was in the process of finding out the permits he needed. He asked how quickly the inspections occurred once the permits came in and Mr. Vaughn responded that they were pretty quick.

Kevin Wilson advised that the Community Emergency Response Team (CERT) could be made available to them for the event.

Dan Topp had no comments.

Andrew Pinney asked Mr. Pellecchia for the start and close times of the event, noting that they did not appear on the documentation provided. Mr. Pellecchia advised that the insurance document had been corrected to show February 8th instead of February 7th and that he had sent it to Economic Development. He said the times would be Monday through Thursday 5:00 p.m. to 11:00 p.m.; Friday 5:00 p.m. to midnight; Saturday and Sunday 12:00 p.m. to midnight.

Mr. Pinney asked if there would be any other activities besides the rides. Mr. Pellecchia said there would not be any music or entertainment. He said it was strictly a fundraiser for the Foundation. He said initially they thought they would have something on a larger scale, but it was too much work to do so with their limited manpower. He acknowledged that the City was not in favor calling such events 'carnivals'.

Mr. Pinney pointed out the large expo tent that was shown on the site plan and asked about its use. Mr. Pellecchia said they initially planned to offer entertainment under the tent. He said he told Mr. Bast that the tent would not be needed but he said he liked being able to provide a place for people to sit in the shade and out of the weather. It was his understanding that the tent would be used for people to sit under and eat.

Mr. Pinney shared a printed copy of the verbiage from the Sign Code for event signage. He asked Mr. Pellecchia to provide another copy of the Hold Harmless Agreement that included the dates for event set-up and breakdown. He also that Hildebrand Rides also provide a Hold Harmless Agreement.

Jeanine Athias had no comments.

Lt. Joe Galaska asked whether there would be a fence around the carnival, as it did not appear on the site drawing. Mr. Pellecchia said there would be fence. Lt. Galaska suggested having four police officers and a supervisor on Friday night; five police officers and one supervisor on Saturday night; and 3 officers on Sunday. This was the same amount requested for the St. Vincent Carnival. He said he could not respond to the other items Mr. Pellecchia requested; he was only suggesting the bare minimum that was needed for Friday, Saturday, and Sunday nights. Mr. Pellecchia asked if they would be able to hire additional police. Lt. Galaska said they would be able to hire additional detail officers. He commented that since the carnivals had started to become unruly, if he had difficulty getting off-duty people to volunteer to work under

this timeline, his only other option would be to offer high demand rates which paid time and one-half. He said hopefully he would be able to get it filled.

Diane Colonna clarified that the CRA had approved the use of the property and that all events had to go through the DRC process. She said there would be a discussion about funding for the police tower at the CRA meeting being held the following night.

Lt. Galaska commented that Hildebrand Rides or the event sponsors have paid for the police detail in the past and that it was something Mr. Pellecchia would need to work out.

Ben Ziskal asked Diane Colonna whether a Margate Under the Moon event was scheduled for February 4, 2017. Ms. Colonna responded that it was a Sounds at Sundown event. Mr. Ziskal suggested the pedestrian traffic on State Road 7 be looked at since there would be two events taking place on opposite sides of the street. He also asked about the location of overflow parking. Mr. Pellecchia responded that he had seen it done on the Swap Shop site in front of the carnival. Mr. Ziskal asked that they consider other options in case they had overflow parking and the site across the street was not available because of the Sounds at Sundown. He suggested they come up with a contingency plan for parking. Mr. Pellecchia said he would do so. He asked if the former bank property was available and whether City Hall was a public parking lot when it was closed. Mr. Ziskal said it was his understanding that parking was prohibited unless someone was conducting business in City Hall. He said the bank property was owned by the CRA and that would be a question for the CRA Board. Mr. Pellecchia asked Ms. Colonna if he could request use of it at the following day's CRA meeting. Ms. Colonna responded that she would speak with him after the meeting.

Mr. Ziskal asked Mr. Pellecchia to work with Hildebrand Rides to obtain the requested documents and to coordinate any permits with the Building Department.

3) GENERAL DISCUSSION

There being no further business, the meeting adjourned at 10:32AM.

Respectfully submitted,

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

Prepared by: Rita Rodi

Date: 2-15-17