



**REGULAR MEETING OF
THE DEVELOPMENT REVIEW COMMITTEE**
<https://us02web.zoom.us/j/81948792790>
MINUTES

Tuesday, June 25, 2024

10:00 a.m.

City of Margate
901 NW 66th Avenue
Margate, FL 33063

City Commission

Mayor Tommy Ruzzano
Vice Mayor Arlene R. Schwartz
Antonio V. Arserio
Anthony N. Caggiano
Joanne Simone

City Manager

Cale Curtis

City Attorney

Weiss Serota Helfman
Cole & Bierman

City Clerk

Jennifer M. Johnson, MMC

PRESENT:

Elizabeth Taschereau, Director, Development Services
Christopher Gratz, AICP, Senior Planner
Paul Ojeda, Associate Planner
David Scholl, Fire Marshal
Richard Nixon, Director, Building/Code Services
Randy Daniel, Assistant Director, Department of Environmental and
Engineering Services (DEES)
Paula Fonseca, Engineer, DEES
Mary Crabtree, Sergeant, Traffic Unit

ALSO PRESENT:

Matthew H. Scott, Esq., Greenspoon Marder, LLP
Saul Perez, REZ SE Land, LLC
Annete McSwain, MSA Architects, Architect Lead
Karl Peterson, KBP Consulting, Traffic Lead
Austin Bouchard, Kimley Horn, Engineering Lead
Teresa Villalon, Kimley Horn, Engineering
Michelle Latte, Kimley Horn, Landscaping Lead

The regular meeting of the Margate Development Review Committee (DRC), having been properly noticed, was called to order at 10:08 a.m. on Tuesday, June 25, 2024, at the City of Margate Commission Chambers, 5790 Margate Boulevard, Margate, FL 33063.

NEW BUSINESS

- A) *ID2024-210*
**DRC NO. 23-00400043 RECONSIDERATION OF THE FOREST
APARTMENTS PLAT NOTE AMENDMENT**
LOCATION: 777-787 S. STATE ROAD 7
ZONING: GATEWAY DISTRICT

Development Services Department

901 NW 66th Avenue, Suite C, Margate, FL 33063 • Phone: (954) 979-6213
www.margatefl.com • dsd@margatefl.com

LEGAL DESCRIPTION: PARCEL "A", 441 SOUTH, LTD., II, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 124, PAGE 41, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PETITIONER: MATTHEW H. SCOTT, ESQ., GREENSPOON MARDER, LLP, AGENT FOR REZ SE LAND, LLC

Christopher Gratz, AICP, Senior Planner, introduced the item and advised that comments were published with the agenda. He invited any additional comments or corrections from staff.

Saul Perez, REZ SE Land, asked for clarification on Engineering reference 21, which asked for an updated road alignment easement to be reflected on the plan. Paula Fonseca, Engineer, DEES, confirmed the plat language would be amended, and asked what was happening with the current easement. Mr. Perez advised it would be abandoned.

Ms. Fonseca asked if the abandoned easement, and the new easement would be shown on the plat. Matthew H. Scott, Esq., Greenspoon Marder, LLP, commented that it would not be shown on the plat. He stated the plat note amendment was an agreement, and whatever was going on with the roadway would be addressed separately in the vacation process. Mr. Perez added this would take place during the subdivision resurvey, so the plat note was filed with Broward County.

Mr. Gratz restated that the existing plat is not something that would be processed by the County, as the easement affected only the Margate jurisdiction and the County Commission would only look at the approved level of development shown on the plat.

Randy Daniel, Assistant Director, DEES, asked if the DRC would see the plat again, because as it is now, it shows the curvy road. Attorney Scott stated the subdivision resurvey addresses this. Mr. Gratz stated there would not be a plat involved, but the City Code has a subdivision resurvey process that looks like a plat and acts like a plat but does not go to the County Commission for approval. He noted the subdivision resurvey would change the lot lines and easements.

Elizabeth Taschereau, Director, Development Services, commented that there was a series of emails the previous day between Curt Keyser, DEES Director, and David McGuire which had covered this issue, and encouraged Mr. Daniel to connect with Mr. Keyser. Mr. Daniel commented that the exchange had been about granting a new easement while the other easement remained in use, but the drawing showed an incorrect roadway. Attorney Scott stated the applicant was undergoing the plat note amendment process simply to modify uses and the amount of those uses, and the other issues were being addressed in other applications.

Ms. Fonseca asked what the plat would show if she pulled it in 10 years. Attorney Scott stated the PDF of the plat would show it but would have an associated link to show where it was vacated and realigned. He noted they were on the same page, there was just some confusion with the process to achieve what staff was requesting. Mr. Perez advised that his team would send an email summarizing the discussion and if there is any disagreement, it can be addressed.

B) ID2024-211

DRC NO. 23-00400044 RECONSIDERATION OF THE FOREST OFFICE PARK SITE PLAN

LOCATION: 777-787 S. STATE ROAD 7

ZONING: GATEWAY DISTRICT AND B-2, COMMUNITY BUSINESS DISTRICT

LEGAL DESCRIPTION: A PORTION OF PARCEL "A", 441 SOUTH, LTD., II (PLAT BOOK 124, PAGE 41, B.C.R.) AND PARCEL "A", THE FOREST (PLAT BOOK 129, PAGE 16, B.C.R.); THE EAST 265', PARCEL "A", THE FOREST (PLAT BOOK 129, PAGE 16, B.C.R.); AND PARCEL "B", MINI MART DEVELOPMENT CORP. SUBDIVISION (PLAT BOOK 81, PAGE 49, B.C.R.).

PETITIONER: MATTHEW H. SCOTT, ESQ., GREENSPOON MARDER, LLP, AGENT FOR REZ SE LAND, LLC

Mr. Gratz read the title of the item and stated this was the site plan for the office park. He stated this was a vacant piece of land being converted into a parking lot, with some of the parking being used for the existing office buildings and some for the apartment development, and cross-access easements for those uses.

Mr. Perez noted the Building Department comment that referenced a missing ADA parking space was correct, but it referenced an older plan, not the most recent submission. He pointed out the area with the trash compactor had been removed.

Richard Nixon, Director, Building/Code Services, confirmed that the trash compactor has been removed and all of the buildings now have their own trash chute. Mr. Perez stated this was correct.

Mr. Nixon stated this was his only comment, as there were ADA parking spaces by all of the other common areas on the plan. Mr. Perez and Mr. Scott stated they had no further comments for Building/Code Services and Mr. Nixon left the meeting at 10:22 a.m.

Mr. Perez commented on Fire reference 60, and stated they would make the change to the hydrant locations as requested. Austin Bouchard, Kimley Horn, Engineering Lead, confirmed the changes would be made.

Attorney Scott asked for clarification on Andrew Pinney's CRA reference 23, as follows:

Where is the callbox or card reader for this gate? If a vehicle is denied access, how and where do they turn around?

Mr. Perez stated the referenced gate was exit only from the southernmost parking lot to the north, so it was only one (1) way and there was no card reader. Attorney Scott added that the gate was for residents to leave, and asked if the concern could be addressed with a sign that says exit only.

Mr. Gratz clarified that no one would be coming in that way, traffic would be directed to a main entrance. Attorney Scott confirmed. Mr. Perez stated a do not enter or one way sign could be

added if that was acceptable. Mr. Gratz stated that would be acceptable, and a turn around would not be needed if the gate was exit only.

Mr. Gratz highlighted CRA reference 55, as follows:

Why does the sidewalk width drop from 7ft to 5ft? Maintain width throughout sidewalk network.

Mr. Perez stated all of the sidewalks that could be had been expanded to seven (7) feet in width.

Mr. Bouchard pointed to Engineering reference 51, as follows:

*Agreement to discharge surface water to neighboring property:
Provide status of Application L2023-276.
Ensure agreement to discharge surface water to neighboring parcel incorporates language ensuring its validity in perpetuity, irrespective of changes in ownership.*

Mr. Bouchard advised the agreements were under review by Broward County and would be provided to the City for review as needed.

Attorney Scott added that for DRC purposes, the applicant did not believe the surface water management licensing agreement needed to be done, and asked if this was correct. Mr. Perez stated they understood for building drawings it was required, and it was being processed. He noted during that process the agreement would go through legal on the County level and then would come back to the City for review and input prior to signing.

Ms. Fonseca stated they need to see where the language was included in the agreement. She noted she understood it was going through the committee, but she wants to see pointed out where the language is. Mr. Perez advised there is language in the agreement, and the team will make sure it is provided. Mr. Bouchard asked for confirmation that the approved licensing agreement could wait until building permit. Ms. Fonseca confirmed.

Mr. Perez asked for clarification on what the 30-foot drainage/access easement through the parking lot area west of the development was in Engineering reference 59. Ms. Fonseca stated the comment was added because there is no connection from the ingress/egress, there is a gap from the easement to the neighboring property. She noted there is nothing protecting the drainage through the parking lot, as there is not an easement there.

Mr. Gratz displayed the plans for discussion. Ms. Fonseca pointed out the existing ingress/egress drainage at the access road, noting it stops right before the master parking area, so that needs to be protected running to the neighboring property.

Mr. Bouchard commented that this was all private property, and asked if there was a reason it needed to be under an easement. He suggested they could place an easement around the

controlled structure to make sure there is maintenance for the discharge. Mr. Daniel stated that was exactly the point being made. He noted because it is private property, it can be excised and sold off later on, so there needs to be an easement so that whatever happens with the property going forward there is an easement dedicated to the drainage of the property on the eastern side into perpetuity, and there will always be that connection.

Ms. Taschereau asked if the applicant knew the exact physical piece of property Mr. Daniel was referencing. Attorney Scott stated the existing offices are owned by an entity that also owns this parking lot, so Mr. Bouchard is asking why he would need to put a drainage easement over his own property.

Ms. Fonseca asked who would be maintaining the drainage system. Mr. Perez advised that the applicant would be. He stated his understanding was that at least on the apartment side, DEES had asked that they maintain their own drainage. Attorney Scott added that there was also a maintenance agreement.

Mr. Perez stated in the reciprocal easement agreement, there is a mutual obligation that the office parcel and the apartment parcel impose on each other to maintain the system. He noted in the event that one (1) of the parties does not, there are mechanisms to cure it.

Ms. Fonseca stated the main question was if there was any way to protect that main line that is discharging to the neighboring property so that it cannot be built on or have something else put on top of it. Mr. Perez advised one of the things Mr. Bouchard was proposing based on what he had seen was perhaps an easement on the outfall structure, but the County would have to agree to it. He stated in the reciprocal easement agreement, neither party can modify without reasonable approval, so there should not be any compromise to the system.

Mr. Gratz provided an example of the drainage issue Ms. Fonseca was trying to avoid, where what should have been a drainage easement had been separated from the development and sold as a separate property. He stated staff was working to ensure that never happens again.

Attorney Scott asserted an easement would not stop the issue; the County Property Appraiser would still create the parcel if that is what is asked of them. He stated he understood they were trying to proactively get ahead of an illegal subdivision, but it was adding an expense and a requirement that would not prevent the situation from happening again. He stated they would record the reciprocal easement agreement which would govern drainage, and it would say the parties are bound together for drainage and cannot change the drainage without permission from each other, the City, and the County. He commented on the scenario of the parcel being sold off and the mechanisms in place.

Mr. Perez stated if DEES would allow, the applicant would send supplemental documentation breaking out the multiple obligations in place to see if that was acceptable. Mr. Daniel agreed, noting a change in language could make it clearer.

Mr. Perez reached Jerry McLaughlin by phone and Mr. McLaughlin reiterated that they were not vacating any easements covering drainage, so it would remain covered by an easement. Mr. Perez stated additional clarification would be provided.

Mr. Perez stated there was an outstanding comment regarding traffic which could be addressed in the next discussion.

Ms. Taschereau asked if Engineering reference 53 had been addressed. Attorney Scott advised that he and Mr. Daniel had discussed this issue briefly the previous Friday and had agreed that it could be argued it was unfair to involve a traffic consultant now on the second submittal. Mr. Daniel stated the City consultant was looking at the issue, and a response is expected in the next five (5) business days. He advised the main issue was staff was concerned they were not doing service to the community if they allowed this to move forward and leave the only recourse as signalization optimization.

Attorney Scott stated they do not disagree that projects would benefit from a third-party reviewer but have a problem with it being done this far down the road. He asserted it was unfair, and the applicant had not been called or informed. He asked that the parties be fair to each other, highlighting the money spent on application fees, multiple pre-application meetings, discussions on traffic methodologies and use types. He noted they should do this as a City but doing it to his client now when they have worked so hard on this creates real heartburn on their side. He stated on one (1) hand they are saying it would only be five (5) days, but the consultant could come back with a list of things.

Mr. Perez advised that the project's traffic engineer, Karl Peterson, believed this would delay the project by four (4) months. He stated they were going to have differing opinions, and even if they arrive at the same conclusions, it will take months to get there.

Karl Peterson, KBP Consulting, stated the most recent round of comments had made reference to review by the City's traffic engineering consultant, and he was unaware there was a consultant. He stated he was not opposed to there being a consultant from the get-go, but they had been at this for quite some time and having another opinion layered in at this time has the potential to result in significant delays. He commented that he believed the applicant had adequately prepared the report in accordance with the methodology prescribed as described by the City.

Mr. Daniel stated he respected and appreciated the comments. He noted that he believed everyone would agree whatever was built today would serve the community and generations for the next 100 years, and they have a duty to make sure it is not going to create a burden to the people who will live in the development and to the people who will live along with the development. He added that maybe staff should have gotten the consultant involved six (6) months ago, but they did not for a variety of reasons. He stated he did not think it behooved them to move forward despite the inability to get a consultant earlier. Mr. Daniel advised that he agreed with the projected timeline and thought it could be done a lot faster, but notwithstanding, four (4) weeks would be nothing compared to 100 years. He stated they need to make sure they are doing the

right thing for the community and those who would eventually live in this development, and to say that signalization optimization at the end of the project is the only recourse is not the way to go. He commented that this was an opportunity to look into other methodologies to solve a potential problem.

Mr. Daniel asked how many apartments were planned for the project. Mr. Perez stated there were 338 units planned.

Mr. Daniel asserted this was a significant development, and while State Road 7 would only be egress for the southbound traffic, Beacon Street is the main ingress and egress to the project. He stated maybe the answer is a west entrance to State Road 7, but whatever it is, staff thinks they need to do their due diligence to make sure the community is served to the best of their ability. He commented that he did not believe it would delay the project and asked Ms. Taschereau when a response was needed to move to the next step of the process.

Ms. Taschereau advised that whether there was a denial or approval from the DRC, the application was going to Planning and Zoning Board (PZB) at the next meeting. Attorney Scott stated that would be August due to notice requirements.

Mr. Daniel stated that meant they had the whole month of July for additional review. Ms. Taschereau stated there were two (2) DRC meetings scheduled, for July 23 and August 13.

Mr. Gratz explained that process wise, the options for the outcome of this meeting would be to approve, approve with outstanding comments to be resolved, or deny in the case that the Code issues are such that another review cycle and DRC is needed. Attorney Scott added that if the applicant wants to move forward regardless of the recommendation of denial, they can.

Mr. Daniel stated he was committing to the team that he expects to have a response from whoever he talks to in regard to this matter in advance of the July 23 meeting and was not expecting to create any sort of delay. Attorney Scott expressed continued concern with the introduction of a consultant at this stage. He stated the it makes sense and they should do it with the next project.

Mr. Gratz noted the removal of the trash compactors and addition of a maintenance building and pointed to Zoning reference 57, as follows:

38' side setback required from residentially zoned properties, the code makes no exception for the property being in another city. The preserve to the west is zoned B-2 which is the rear property line and a 20' rear setback is required from a non-residentially zoned property.

Mr. Gratz summarized that the proposed maintenance building does not comply with the setbacks and asked if that had been adjusted. Mr. Perez asked for clarification that it was a side setback off the rear property line.

Mr. Gratz indicated the referenced locations on the plan. Mr. Perez stated that was not a problem, they would make adjustments. Mr. Gratz explained this was a requirement to move forward.

Ms. Fonseca shared Engineering reference 58, as follows:

Address the stormwater system of the existing office buildings as it seems to be disconnected from the proposed improvements on the master parking area as well as the retention areas to be removed due to the development.

Teresa Villalon, Kimley Horn, stated the layer was not shown on the plan, but they are all interconnected. She explained there is a catch basin that connects the existing system to the proposed system. She stated they would add the system to the plan. Mr. Bouchard added that they had also accounted for the calculation of the systems merging together.

C) ID2024-212

DRC NO. 23-00400045 RECONSIDERATION OF THE FOREST APARTMENTS SUBDIVISION RESURVEY

LOCATION: 777-787 S. STATE ROAD 7

ZONING: GATEWAY DISTRICT AND B-2, COMMUNITY BUSINESS DISTRICT

LEGAL DESCRIPTION: A PORTION OF PARCEL "A", 441 SOUTH, LTD., II (PLAT BOOK 124, PAGE 41, B.C.R.) AND PARCEL "A", THE FOREST (PLAT BOOK 129, PAGE 16, B.C.R.); THE EAST 265', PARCEL "A", THE FOREST (PLAT BOOK 129, PAGE 16, B.C.R.); AND PARCEL "B", MINI MART DEVELOPMENT CORP. SUBDIVISION (PLAT BOOK 81, PAGE 49, B.C.R.).

PETITIONER: MATTHEW H. SCOTT, ESQ., AGENT FOR REZ SE LAND LLC.

Mr. Gratz read the title of the item and shared the subdivision resurvey plan on the screen. He stated at the center of the parcel, there was an existing road. Mr. Perez stated it was just an access road. He noted the location of the drainage lines the City currently has a maintenance requirement over and stated at Mr. Keyser's request those were being abandoned with the road in place until it is actually built. He stated he did not have an objection to that.

Attorney Scott stated what had been discussed with Mr. Keyser and with the County was to leave the existing access easement there and record a new one (1) that will sit until it is built.

Mr. Perez advised that the subdivision resurvey needs to be recorded, as they are acquiring the residential lot and only half of the rear lot, and this plan draws the property lines for the County so they can close. He suggested they record the plan with the road and then rerecord a new, revised plan with the street once it is done, if that works for DEES.

Mr. Daniel agreed that it should work. He clarified that the new, straightened easement would be recorded. Attorney Scott clarified that emails earlier in the day had contemplated recording the new easement now so that it is sitting. Mr. Daniel stated DEES was comfortable with that arrangement.

- D) *ID2024-213*
DRC NO. 23-00400046 THE FOREST APARTMENTS SITE PLAN
LOCATION: 787 S. STATE ROAD 7
ZONING: GATEWAY DISTRICT
LEGAL DESCRIPTION: SOUTH HALF OF PARCEL "A", 441 SOUTH, LTD., II (PLAT BOOK 124, PAGE 41, B.C.R.)
PETITIONER: MATTHEW H. SCOTT, ESQ., GREENSPOON MARDER, LLP, AGENT FOR REZ SE LAND, LLC

Mr. Gratz read the title of the item and shared the site plan on the screen.

Mr. Perez noted Mr. Gratz's previous notes regarding the relocation of the maintenance room and asked Annete McSwain, MSA Architects, if she had further questions or comments. Ms. McSwain advised they should shift around parking to comply with the setback for the maintenance room, and there were no issues with that update.

Mr. Perez stated he did not think the plan was doing a good enough job of showing the location of the bus shelter, because the comment keeps coming back. Mr. Gratz advised that he was just asking for a clear note to say the applicant was putting a new bus shelter in.

Mr. Perez noted that Engineering reference 55 also asked for documentation of the bus shelter. He asked if replacement of the existing bus shelter should be shown on the engineering plans as well as the site plan. Mr. Gratz advised it should basically be shown on everything.

Ms. Fonseca stated the existing bus shelter was recognized, but there was no proposed work shown. Mr. Perez advised the issue would be corrected.

Mr. Bouchard commented on Engineering reference 64 and 65, as follows:

Wastewater – provide evaluation of LS 29 capacity (wet well capacity, flow and head) to handle additional wastewater from development. Provide a clear statement of the results of the evaluation.

Wastewater – provide evaluation of existing gravity line capacity to illustrate that existing gravity system will not operate under surcharged conditions. Provide a clear statement of the results of the evaluation.

Mr. Bouchard advised that a report created by CHA based on their analysis had been provided to address all of the questions as requested. He stated it appeared evaluation of the lift station itself was also being requested, but the applicant cannot perform that analysis without permission from the Public Works Department.

Ms. Fonseca stated she believed information had been provided a couple of months ago. Mr. Bouchard confirmed that some information had been received, but additional information was

needed to perform the analysis, including confirmation of pump specs. Attorney Scott asked if the applicant should go to Public Works Director Gio Batista for the details.

Mr. Daniel commented that this question was related to utilities, and the City's ability to treat the sewage generated from 338 townhouses. He discussed the calculations which needed to be done on the gravity system, including the ability of the pump station to handle sewage at peak times. He noted there could be a domino effect with other customers accessing the system efficiently which would result in a backup.

Mr. Bouchard clarified a study of the capacity of the lift station to operate under surcharge conditions should satisfy the analysis. Mr. Daniel stated they want to make sure the gravity line that feeds the pump station is not operating on a surcharge. He advised to be acceptable, it has to continually empty so there is always a continual flow.

Mr. Bouchard restated that the applicant would analyze the pump station as it is operating and make sure the pump would operate with the additional flow provided. Mr. Daniel confirmed. Mr. Bouchard advised that an analysis could be conducted per Florida Department of Environmental Protection (FDEP) requirements and documents. Mr. Daniel stated information on size of pumps, etcetera would be available through the Utilities Department if it was not already furnished. Attorney Scott asked how long that analysis would take. Mr. Bouchard responded (inaudible).

Ms. Fonseca stated the CHA report would not address any of these issues because they do not address the lift station or its capacity. Mr. Bouchard advised the report includes the developments which feed that lift station, so they would just need to perform the analysis using that data as part of the actual lift station analysis. Ms. Fonseca confirmed that was correct. She noted they would need to look at the methodology to see how the numbers were calculated. Mr. Bouchard confirmed that FDEP guidelines would be used. Discussion continued.

Ms. Villalon stated Engineering reference 66 was similar to the previous but was referencing the old project. She advised the issue with the sewer line and the wall had been fixed. Ms. Fonseca commented that she had seen a gap in the proposed fence. Ms. Villalon clarified that it was chain link fence and asked if that was sufficient. Ms. Fonseca stated she did not recall seeing a chain link fence in the area and asked that the plan where it was located be included in the response to make it easier to locate. Ms. Villalon advised that they had relabeled the sheet and would call it out again.

Mr. Daniel stated in theory the chain link fence would be fine because it can be removed more easily than a wall, however that would be subject to Development Service Department approving a chain link fence. Mr. Gratz advised the Zoning Code requires a wall. Mr. Perez commented that this was why a wall was shown on the plan. Mr. Daniel stated this was an issue because the wall was on top of the sewer line. Mr. Perez stated a metal accordion fence could be placed if that was acceptable, but that was the only middle ground he could see.

Ms. Fonseca asked for clarification on the requirement. Mr. Gratz stated a continuous wall is required, so it would need to be designed in some way where there were panels that could be picked up and moved out of the way to service the sewer line.

Mr. Perez asked if a metal fence would be acceptable. Mr. Gratz reiterated that the Code is asking for a wall. He stated as long as it looks like a wall and acts like a wall, it would meet the Zoning Code, but it cannot be a fence. Mr. Daniel asked that the plans include how the panel would be taken out, because if staff needs to go in, they should know how to dismantle it and get access.

Mr. Bouchard pointed to Engineering reference 94, as follows:

Show proposed water meter connections to buildings, FDC, and irrigation.

Mr. Bouchard clarified there would be a master meter on the site and asked if the City was requesting the individual submeters.

David Scholl, Fire Marshal, left the meeting at 11:16 a.m.

Ms. Fonseca asked where the units would be metered. Mr. Perez stated each unit would have its own meter. Mr. Daniel encouraged the applicant to check the Code to ensure that was allowed. Mr. Perez clarified the submeters would be internal.

Mr. Gratz referenced Mr. Daniel's previous comments about the development being in place 100 years from now and asked that the applicant was sure there would not be issues in the future if this is ever turned into condominiums. He stated it should be designed right from the first time and only once.

Mr. Bouchard requested a meeting to review specifically the water meters to make sure everyone is in agreement. Mr. Daniel noted that Utility Billing would be a key participant in that meeting as billing needed to be ironed out.

Mr. Perez advised that a statement on the stormwater would be provided. He stated for water source, the applicant would provide a pump and use groundwater if that is allowed and it passes the testing requirements, and that would be noted on the plans, as well. Mr. Bouchard agreed to place a temporary location for the pump on the plan.

Mr. Perez stated he thought the controlled entrance signs were previously cleared up, and he may have to add a do not enter sign. Mr. Gratz asked that sign be included on the resubmittal.

Mr. Perez noted Public Works reference 91 stated Mr. Batista could not locate a plan with the specific title. He asked his team if a Public Works Plan had been submitted. Mr. Gratz advised that he believed there had been confusion in file names when switching engineers. Mr. Perez asked that Mr. Bouchard get clarification from Mr. Batista.

- E) *ID2024-214*
DRC NO. 23-00400047 RECONSIDERATION OF THE FOREST APARTMENTS
SPECIAL EXCEPTION
LOCATION: 787 S. STATE ROAD 7
ZONING: GATEWAY DISTRICT
LEGAL DESCRIPTION: SOUTH HALF OF PARCEL "A", 441 SOUTH, LTD., II (PLAT
BOOK 124, PAGE 41, B.C.R.)
PETITIONER: MATTHEW H. SCOTT, ESQ., AGENT FOR REZ SE LAND LLC.

Mr. Gratz read the title of the item.

Mr. Perez stated the applicant hears DEES loud and clear on the easement agreement and will provide the exhibits. He noted there should not be significant changes.

Mr. Gratz pointed to Engineering reference 30 asking for the "Shared Access Roadway" to be identified. He noted a gap in the illustration. Mr. Perez stated they would make sure the exhibit was corrected.

Mr. Perez noted Engineering reference 43 and commented that a letter describing the methodology and rationale for solid waste had been submitted. Mr. Gratz advised the letter had been included with the site plan but not with the special exception application. Ms. Taschereau suggested the request be removed if it was a part of the site plan. Ms. Fonseca suggested the document be uploaded so this application stands by itself. Discussion continued as to items relative to the special exception criteria.

Ms. Fonseca clarified that references 42 and 43 would be handled under the site plan, and the comments would be marked as resolved by the applicant. Mr. Gratz advised there were several comments that would be responded to in this way, including references 55 and 53.

Mr. Gratz stated at this point, outstanding items included resolution of calculations related to sewer and traffic, but he did not identify any other Code issues which would cause the plans to change and prevent it from going forward for hearing. He recommended the applicant resolve what they could any anything else could be included as conditions moving forward.

Mr. Daniel stated DEES agrees, and noted if there were issues with the calculations the applicant should reach out to staff for assistance.

Mr. Gratz advised that at this point, the ball is in the applicant's court, and they will meet with staff members as needed to have comments satisfied or left as a condition. Mr. Perez stated the goal was 30 days.

Ms. Taschereau advised Mr. Nixon had also agreed to conditional approval.

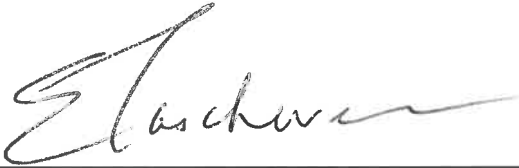
Attorney Scott clarified that Mr. Gratz was suggesting plans needed to be resubmitted addressing the details, and then staff would need to review again before placing the items on a PZB agenda. He stated there would be additional DRC review. Mr. Gratz confirmed, noting there would not be the need for an additional DRC meeting or fee.

Mr. Perez asked if it was possible to make the August PZB agenda. Ms. Taschereau advised that would depend on the submittals. Mr. Gratz suggested they ignore the calendar and get it right, and staff would accommodate as best they can. He noted there are summer breaks and published meetings which may be rescheduled.

GENERAL DISCUSSION

There being no further business to discuss, the meeting was adjourned at 11:34 a.m.

Respectfully submitted,



Elizabeth Taschereau, Director of Development Services

