



### City Commission

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## REGULAR MEETING OF THE DEVELOPMENT REVIEW COMMITTEE MINUTES

**Tuesday, April 11, 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

Richard Nixon, Building Department

Kevin Wilson, Fire

Diane Colonna, CRA Executive Director

Dan Topp, Community Development Inspector

Lt. Paul Fix, Police Department

Abidemi Ajayi (A.J.), Engineering

### ALSO PRESENT:

Rosalba Segovia, Fantasy Station Academy

Jay Huebner, HSQ Group, Inc.

Steven Wherry, Greenspoon Marder Law

### ABSENT:

Abraham Stubbins, Utilities

Jeanine Athias, Engineering

Lt. Joe Galaska, Police Department

Michael Jones, Director of Parks and Recreation

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 10:11 AM on **Tuesday, April 11, 2017** in the City Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, FL 33063.

- 1A) APPROVAL OF THE MINUTES FROM THE SPECIAL DEVELOPMENT REVIEW COMMITTEE MEETING ON APRIL 1, 2015.

Ben Ziskal advised that the minutes were from 2015, and staff recently discovered that they had not been previously approved by the committee.

The meeting minutes were approved as written.

### Economic Development Department

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**2) NEW BUSINESS****2A) DRC NO. 04-17-02 CONSIDERATION OF AN AMENDED SITE PLAN TO PERMIT AN EXPANSION AT FANTASY STATION ACADEMY****LOCATION:** 6460 WEST ATLANTIC BOULEVARD**ZONING:** TRANSIT-ORIENTED CORRIDOR-CORRIDOR (TOC-C)**LEGAL DESCRIPTION:** "MARGATE REALTY NO 2", LOTS 9, 10, AND 11, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 50, PAGE 40, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.**PETITIONER:** ROSALBA SEGOVIA, FANTASY STATION ACADEMY

Rosalba Cacucciolo, owner of Fantasy Station Academy, explained that the purpose of the expansion was for a multi-purpose classroom to teach small children through the arts. She said they currently had a waiting list of children to get into the school which was why they needed the addition. She said the various workshops or ateliers they were going to offer required a lot of space. She said they would use the space for an aftercare program for school children in the afternoon.

**DRC Comments:**

Richard Nixon advised that plans and permits would be required.

Kevin Wilson advised that they would need to show compatibility for the new devices to the existing fire alarm control panel, and that the existing system could handle the addition. Ms. Cacucciolo said they had been in touch with Protection One, their alarm company, and they would be providing the required information.

Dan Topp said he inspected the site and he did not see any obvious code violations, noting that the dumpster enclosure was fine and the property looked nice.

Andrew Pinney asked whether the workshops they planned were for the daycare and preschool or for the older children in kindergarten and beyond. Ms. Cacucciolo responded that they were for the daycare. She referenced a meeting that she had with Mr. Pinney a while ago and she said that after that meeting she realized that they would be grandfathered in for kindergarten but that they were not zoned for elementary; therefore, the expansion would be for the little children.

Mr. Pinney asked whether there was a drop-off point for the children or if the parents had to park and walk them in. Ms. Cacucciolo said they usually asked the parents to park and come in to sign the children in and out.

Mr. Pinney made the following comments about the site plan:

- advised her on the site plan approval process. He asked that they include a couple of setbacks on the addition to help cite it properly for permitting.

- advised that one of the tables on the landscaping plan they submitted was cut off. He asked that they include a table which compared the code requirements against what they were providing to meet the requirements.

-referenced the landscaping plan and advised on the following areas of concern: the roadway perimeters along Atlantic Boulevard and N.W. 65<sup>th</sup> Avenue needed to have a 10-foot wide landscape area with a tree every 40 feet with a continuous hedge and no more than 50 percent sod. He said they were only showing four of the five trees required on Atlantic Boulevard, and they were only showing two of the three trees as required on N.W. 65<sup>th</sup> Avenue. The other perimeters that abutted the property around them required a five-foot wide landscape area with a tree every 75 feet and no more than 30 percent sod. The southern property line was fine but two trees were required on the western property line instead of the one that was shown; for the green area in the interior parking lot, they were required to provide two category one trees. Their plan showed a category two tree, a category three tree, and two palm trees. He said they could meet the Code requirement by adding two more two palm trees. He said they could add one palm tree to the two that were in the parking island, and add another anywhere in the interior area.

-advised that the photometric plan required some work. He said they would be considered lighting level one since they were closed by 7:00 p.m., and they would need to provide a minimum of one foot candle. He said several areas fell below that minimum threshold on the plan they provided. He said the lighting in the vehicular use area would need to be brought up to at least 1.0 foot candle. He said there was a maximum uniformity ratio of 10:1 foot candles.

Tim Finn had no comment.

Diane Colonna had no comment.

Lt. Paul Fix had no comment.

Abidemi Ajayi asked if there had ever been a pool at the location. Ms. Cacucciolo said that it used to be a pool. She said they were working with a company that would be drilling to find out what was underneath before they started construction.

Mr. Ajayi asked the number of current students. Ms. Cacucciolo said they currently had 110 students. She said it would not increase by more than ten because they did not have the capacity. Mr. Ajayi advised that there would be impact fees which he said were calculated by the number of students and the square footage of the roof. He said impact fees were typically paid at the time of the building permit issuance.

Ben Ziskal had no additional comments. He said minutes of the meeting would be provided. Once she worked through the comments provided, he said she would need to submit three final site plans back to the City and they would be circulated amongst the committee members for final signatures, and then it could move forward to the permitting process.

- 2B) **DRC NO. 04-17-03** CONSIDERATION OF A PLAT AMENDMENT FOR CELEBRATION POINTE  
**LOCATION:** 2850 NORTH STATE ROAD 7  
**ZONING:** PLANNED RESIDENTIAL DEVELOPMENT (PUD)  
**LEGAL DESCRIPTION:** A PORTION OF TRACT "A" OF "CELEBRATION POINTE" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 178, PAGE 68 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

**PETITIONER: JAY HUEBNER, HSQ GROUP, INC.**

Jay Huebner, HSQ Group, provided a brief history on the project. He said the north half of the project had been previously approved for 580 garden apartments and 282 of them had been completed and were fully operational. He said the south half had been previously approved for the remainder (298) of the garden apartments. He said the property owner had decided to sell to it to Lennar and change the use from garden apartments to a fee-simple town house project. Therefore, he said they were requesting 168 town homes to be part of the plat, replacing the garden apartments previously proposed for the south half of the project. He said their request was for 282 garden apartments (recently completed) plus 168 town homes. He said they submitted for a PUD amendment and site plan approval the day before. The plat amendment was being done at this time to better line up with Broward County's schedule for the approval process.

Mr. Huebner asked to have the plat note parceled so that the north and south halves would each have their own plat note since there would be multiple owners with the north half having 282 garden apartments in a separate parcel and the south half having 168 townhomes. He said by doing this, future potential issues could be avoided should the owners of one of the halves wish to make a change.

**DRC Comments:**

Richard Nixon commented that typical plans and permits would be required.

Kevin Wilson said they had some comments about the locations of the fire hydrants on the site plan recently submitted. Mr. Huebner said they were notified and they adjusted the site plan which had been submitted the previous day.

Dan Topp had no comment.

Andrew Pinney asked for additional details on the splitting of the parcels including the acreage, etc. Mr. Huebner responded that the item was submitted as a plat note. He said he had the two legal sketches with him which were similar to what the folio numbers were showing. He said the north half was 15.244 acres and was a bit larger because it included the entryway out to State Road 7; the south half was 14.257 acres. Mr. Huebner said the note assigned where the units would be built.

Mr. Pinney referenced the submittal that was made the day before and he noted that the site plan showed 160 town houses while that day's plat note showed 168 town houses. He asked for an explanation of the inconsistency. Mr. Huebner explained that when they initially did the conceptual site plan, they submitted for 168 and they wanted to be on the high side so that as they went through the site plan process, if things were to change, they would have more than what they were asking. He said if they did not use all the units, they would be returned to the City.

Tim Finn had no comment.

Diane Colonna commented that she was glad to see some owner occupied housing being built.



Lt. Paul Fix had no comment.

Abidemi Ajayi had no comment.

Ben Ziskal asked Mr. Huebner whether the intent would be to come back and do another plat note amendment if they ended up building less than what was called for in the plat note amendment so they would match.

Steve Wherry, Greenspoon Marder, said it could be done that way. He said they have also done various revisions to a Declaration of Restrictive Covenants that related to the land use which he said might be a simpler process. He said it was something the County was party to rather than the City. Mr. Ziskal said there was no objection by the City if there was a land use designation that allowed more than what was built. However, he said the calculation of units compared to the flexibility and reserve tables showed that flex units were assigned to that property, and the City would ask to have any of them back if they were not being built. He said if the City got all the flex units back and they still had an entitlement higher than what they actually built, there would be no issue. Mr. Wherry said there would be no problem doing that.

Mr. Ziskal said the item, as a plat note amendment but not a change to the sketch, with the revised statement from Mr. Huebner included, would proceed to City Commission for early May. Mr. Huebner asked if the application needed to be amended and submitted with the additional documents this week. Mr. Ziskal said that it would be noted in the minutes that an amendment to their application was requested so the actual application would not need to be amended. He asked that he forward the revised documents to Andrew Pinney.

### 3) **GENERAL DISCUSSION**

There being no further business, the meeting adjourned at 10:30 A.M.

Respectfully submitted,



Benjamin Ziskal, AICP, CECD  
Director, Economic Development Department

Prepared by: Rita Rodi

Date: May 17