



**DUNAY
MISKEL
BACKMAN** LLP

Gary Dunay
Bonnie Miskel
Scott Backman
Eric Coffman

Hope Calhoun
Dwayne Dickerson
Ele Zachariades
Matthew H. Scott

Christina Bilenki
David F. Milledge
Jeffrey Schneider
Kristen Weiss
Sara Thompson

**Springdale Townhomes
7870 Margate Boulevard
Rezoning Justification Statement**

Fimiani Development Corporation (“Applicant”), with authorization from Margate Executive Golf Course, LLC, owner of the property formerly known as “Margate Executive Golf Course,” hereby submits this request for rezoning approval. The project consists of two parcels totaling +/- 21.96 gross acres and is generally located on the south side of Margate Boulevard between NW 76th Avenue and NW 79th Avenue (“Property”) within the City of Margate (“City”). Previously developed as a 9-hole golf course which is now closed, the Property is identified by folio numbers 484135050030 (“Parcel 1”) & 484135080010 (“Parcel 2”). Parcel 1 is 21.33 gross acres in size and is designated as Commercial Recreation within an Irregular 7.6 Residential Dashed Line Area on the City’s Future Land Use Map and contains a zoning designation of S-1 (Recreational). Parcel 2 is 0.63 gross acres in size and is designated as R(7) within an Irregular 7.6 Residential Dashed Line Area on the City’s Future Land Use Map and contains a zoning designation of R-3A (Multiple-Dwelling Residential District).

Petitioner proposes to redevelop the Property with a residential development consisting of 137 3-bedroom townhome units with amenities, including a clubhouse, swimming pool, and pickle ball courts (“Project”). With the development of the Project, the Applicant is setting aside 0.80 net acres (1.23 gross acres) of land along Margate Blvd. to be redeveloped as public open space park area. This includes a portion of Parcel 1 and all of Parcel 2 (as identified on the site plan). This area of land will be dedicated for public use and will increase the City’s total acreage of open space area towards meeting the City’s Open Space Level of Service Standards of 3 acres per 1,000 residents. The City’s current Community Parks Inventory tables indicate that there are 197.74 acres of open space existing in the City that can be used to meet the adopted level of service. The addition of this park area will increase the City’s open space area to 198.54 net acres.

In order to develop the Project, Petitioner is processing the following applications; 1.) a land use plan map amendment to amend the future land use designation from Commercial Recreation to Residential 7 and amend the overall density of the Dashed Line Area from 7.6 to 8.43; 2.) a land use plan text amendment to remove the restriction regarding recreational land within Dashed Line Areas shown on the City’s Future Land Use Map; 3.) a rezoning application to change the zoning designation of 20.73 gross acres from S-1 (Recreational) to PUD (Planned Unit Development) for the residential development and 0.60 gross acres from S-1 (Recreational) and 0.63 gross acres from R-3A (Multiple Dwelling Residential) to S-2 (Open Space) for the public park space; 4.) a site plan and PUD masterplan application for the 137 unit townhome development.

It is important to note that the proposed 1.23 gross acres of public park space is not included in the land use plan map amendment as the existing Commercial Recreation and R(7) land use designations will remain in place to allow the proposed park use. The rezoning of the public park space from S-1 to S-2 is required to allow the open space to be counted towards the City’s level of service standards for Community Parks and Open Space.

Redevelopment Benefits

The number of golf courses in the U.S. has declined steadily since 2006. This golf course, which is near an 18-hole golf course, was a victim of the overall trend as it has experienced consistent reductions in the amount of play. For the past few years, the golf course was losing money to the point that it no longer made sense to keep the facility open for business. Therefore, the decision was made to close the golf course and pursue redevelopment.

The proposed development will revitalize an underutilized property with a new residential community which will increase the City's tax base and tax revenues. The economic impact study submitted with this application was conducted by Econsult Solutions, Inc. The study demonstrates that the proposed new development will generate property tax revenues between \$717,000 to \$1,010,000. This is an increase of \$711,000 to \$1,004,000 beyond what the property is currently generating in property taxes (\$6,154). In addition, the Proposed Amendment will provide employment opportunities during construction and long-term tax revenues for the City.

Concurrency Compliance

Per Section 31-49 of the City Code, Petitioner must demonstrate compliance with concurrency standards for any site plan application. The concurrency standards are stated below in Bold text, with the responses provided in Italics.

- 1. Project description: Applicant, location, land use and zoning, density or intensity, project phasing and other pertinent information as determined by the applicant needed to properly review the application.**

Name, address and telephone number of the applicant

*Fimiani Development Corporation
5301 N. Federal Highway, Suite 350
Boca Raton, FL 33486
Contact: Michael Fimiani
Telephone: 561-395-8882*

Location

The Property is an abandoned golf course located on the south side of Margate Boulevard west of NW 76th Avenue and consists of 20.50+/- net acres and 21.96+/- gross acres.

Land Use & Zoning

The City Land Use Plan designation for Parcel 1 is Commercial Recreation within an Irregular 7.6 Residential Dashed Line Area and the Broward County Land Use Plan designation is Recreation and Open Space within an Irregular 7.6 Residential Dashed Line Area. The current zoning for Parcel 1 is S-1 (Recreational). The proposed land use designation for 20.73 gross acres of Parcel 1 is Residential (7) within an Irregular 8.43 Dashed Line Area and the proposed zoning designation of this area is PUD. A portion of the parcel (0.60 gross acres) will maintain the existing Commercial Recreation land use designation and will be rezoned from S-1 to S-2 to facilitate the development of the future public park.

The City Land Use Plan designation for Parcel 2 is Residential (7) within an Irregular 7.6 Residential Dashed Line Area and the Broward County Land Use Plan Designation is Irregular 7.6 Residential within a Dashed Line Area. The current zoning for Parcel 2 is R-3A (Multiple-Dwelling Residential District). The existing Residential (7) land use designation for this parcel will remain in place, while the zoning designation will be amended from R-3A to S-2 to facilitate the development of the future public park.

In total, the public park will contain 1.23 gross acres, with 0.60 gross acres containing a future land use designation of Commercial Recreation & 0.63 gross acres containing a future land use designation of Residential (7). The zoning designation for the entire 1.23 gross acres of public park space will be S-2. The residential development will consist of 20.73 gross acres with a future land use designation of Residential (7) within an Irregular 8.43 Dashed Line Area and a zoning designation of PUD.

Density

The City Land Use Plan designation for the Parcel 1 is Commercial Recreation within an Irregular 7.6 Residential dashed line area and the City Land Use Plan designation for Parcel 2 is Residential (7) within an Irregular 7.6 Residential Dashed Line Area. The gross acreage of the Irregular 7.6 Residential dashed line area is 104.3 acres. Based on the maximum allowable density of 7.6 dwelling unit/acres, 792 dwelling units are permitted to be developed in the dashed line area. City staff confirmed that there are 742 dwelling units constructed in the dashed line area, leaving 50 remaining units that could be constructed on the Property. The Petitioner is proposing to develop 137 residential units ("Project") on the Property. This requires an amendment to the land use plan designation on the Property to add an additional 87 dwelling units to the overall dashed line area.

The proposed 1.23 gross acres of public park space is not included in this amendment as the existing Commercial Recreation and Residential (7) land use designations will remain in place to allow the proposed park public use. As such, the Petitioner is requesting an amendment to change the land use plan designation on 20.73 acres of land from Commercial Recreation to Residential (7) and change the dashed line area from Irregular 7.6 Residential to Irregular 8.43 Residential, allowing a total of 879 dwelling units within the dashed line area.

Project Phasing

There is no phasing proposed with this development. All of the units will be developed in one stage.

- 2. Transportation system: An analysis performed by Broward County or prepared in accordance with the Broward County TRIPS model, as amended from time to time.**

A traffic study has been included with this submittal that demonstrates that the proposed development is projected to generate approximately 953 daily trips, approximately 65 AM peak hour trips and approximately 79 trips during the typical afternoon peak period. Furthermore, The project driveway is projected to operate at level of service "A" as proposed. Please refer to the traffic impact study for me details.

3. **Drainage, solid waste, water and wastewater: Documentation from the appropriate service provider regarding provision of services.**

Drainage

1. **Provide the drainage level of service per the adopted and certified local land use plan.**

The adopted level of service standards for drainage facilities as contained in Policy 3.2.1 of the City's Comprehensive Plan are provided below.

Road protection. Residential streets not greater than fifty feet to have crown elevations no lower than the elevation for the respective area depicted on the ten year "Flood Criteria Map." Rights-of-way greater than fifty feet to have an ultimate edge of pavement no lower than the elevation for the respective area depicted on the ten-year "Flood Criteria Map."

Buildings. To have the lowest floor elevation no lower than the elevation for the respective area depicted on the "100-Year Flood Elevation Map."

Off-site discharge. Not to exceed the inflow limit of SFWMD primary receiving canal or the local conveyance system, whichever is less.

Storm sewers. Design frequency minimum to be three-year rainfall intensity off the State DOT Zone 10 Rainfall curves.

Floodplain routing. Calculated flood elevations based on the ten year and one-hundred-year return frequency rainfall of three-day duration shall not exceed the corresponding elevations of the ten year "Flood Criteria Map" and the "100 Year Flood Elevation Map."

Antecedent water level. The higher elevation of either the control elevation or the elevation depicted on the map "Average Wet Season Water Levels."

On-site storage. Minimum capacity above antecedent water level and below floodplain routing elevations to be design rainfall volumes minus off-site discharge occurring during design rainfall.

Best management practices (BMP). Prior to discharge to surface or ground water, BMPs will be used to reduce pollutant discharge.

The drainage system that is ultimately built on the Subject Property will also meet the Broward County and South Florida Water Management District drainage requirements.

2. **Identify the drainage district and drainage systems serving the amendment area.**

The Subject Property is within the C-14 basin. The requirements of the City of Margate, South Florida Water Management District ("SFWMD") and the Broward County Development Management and Environmental Review Section will be applied to the ultimate drainage system for the Subject Property.

A Margate canal flows thru the site. The existing flowage easement will be relocated and maintained as part of the proposed design. Parts of the existing canal are located on the property line and service the adjacent properties. The storm water from the adjacent townhomes and condominium properties flow into the on-site canals. This historical flow will be maintained as part of the proposed design.

3. **Identify any planned drainage improvements, including year, funding sources and other relevant information.**

Currently, there are no planned drainage improvements set forth by the City.

4. **Indicate if a Surface Water Management Plan has been approved by, or an application submitted to, the SFWMD and/or any independent drainage district, for the amendment site. Identify the permit number(s), or application number(s) if the project is pending, for the amendment site. If an amendment site is not required to obtain a SFWMD permit, provide documentation of same.**

No formal application has been made to the local drainage districts; but, preliminary surface water management calculations and a plan were review by Broward County Environmental Engineering and Permitting Division. Attached is an email confirming they are in agreement with the concept presented (Exhibit A). The onsite drainage system will be designed to meet all applicable levels of service standards.

5. **If the area in which the amendment is located does not meet the adopted level of service and there are no improvements planned (by the unit of local government or drainage authority) to address the deficiencies, provide an engineering analysis which demonstrates how the site will be drained and the impact on the surrounding properties. The information should include the wet season water level for the amendment site, design storm elevation, natural and proposed land elevation, one hundred year flood elevation, acreage of proposed water management retention area, elevations for buildings, roads and years, storage and runoff calculations for the design storm and estimated time for flood waters to recede to natural land elevation.**

The existing surface water management system for the Subject Property consists of series of water features constructed to provide drainage for the golf course and surrounding communities. The proposed design will consist of a combination of the existing canals and proposed lakes to provide on-site storage to meet the minimum flood designs. A crowned roadway with valley gutter curb on both sides of the street is proposed. The community will have positive drainage through inlets and pipes discharging into the proposed lakes. An existing culvert is under Margate Boulevard that will be maintained and extended to connect to the proposed lakes pending the final site plan design. Existing drainage from the adjacent residential communities will be maintained and allowed to continue to flow through the property. Proper easements will be provided.

Water quality treatment and water storage will be provided in the proposed lakes as required by the permitting agencies. The developed area storm water management system will provide for attenuation of runoff from storm events including protection of interior roadways, buildings, and the adjacent areas.

6. **Correspondence from local drainage district verifying the information submitted as part of the application on items 1-5 above. Correspondence must contain name, position and contact information of party providing verification.**

A letter from the City of Margate Engineering Department has been requested. The letter will be provided upon receipt.

Solid Waste

1. **Provide the solid waste level of service per the adopted and certified local land use plan.**

According to Policy 4.1.4 of City's Comprehensive Plan, the adopted level of service for solid waste for residential dwelling units is 8.9 pounds per dwelling unit per day.

2. **Identify the solid waste facility serving the service area in which the amendment is located including the landfill/plant capacity, current and committed demand on the landfill/plant capacity and planned landfill/plant capacity.**

The Property is served by the Wheelabrator South Broward Waste to Energy Facility located at 4400 S. State Rd. 7, Fort Lauderdale, FL 33314. Per the Solid Waste Element of the Broward County Comprehensive Plan, the facility has a gross electrical generating capacity of approximately 66 megawatts. In anticipation of future disposal needs, Broward County has received certification for ultimate generating capacities of 96.1 megawatts.

3. **Identify the net impact on solid waste demand, based on the adopted level of service, resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot or dwelling unit.**

Existing Use		
Development Intensity	Generation Rate	Demand
Golf Course (Commercial Rate is Applied)	2 lbs./day	2 lbs./day
Proposed Use		
Development Intensity	Generation Rate*	Demand
137 dwelling units	8.9 lbs./unit/day	1,219 lbs./day
NET CHANGE: +1,217 lbs./day		

4. **Correspondence from the solid waste provider verifying the information submitted as part of the application on items 1-3 above. Correspondence must contain name, position and contact information of party providing verification.**

An e-mail correspondence from Bob Hely with Wheelabrator Technologies confirming the landfill capacity and a letter from Republic Services confirming capacity to service the project are attached as Exhibit B (Solid Waste Correspondences).

Water

1. **Provide the potable water level of service per the adopted and certified local land use plan, including the adoption date of the 10 Year Water Supply Facilities Plan.**

The potable water level of service per the adopted comprehensive plan is 335 gallons per day (gpd). The City adopted the 10-Year Water Supply Facilities Work Plan in March 2015.

2. **Identify the potable water facility serving the service area in which the amendment is located including the current plant capacity, current and committed demand on the plant and planned plant capacity expansions, including year and funding sources. Identify the wellfield serving the area in which the amendment is located including the South Florida Water Management District (SFWMD) permitted withdrawal, including the expiration date of the SFWMD permit.**

The City's potable water system consists of raw water supply, water treatment and distribution.

Plant Capacity:

The City's water treatment plant has a total permitted maximum day operating capacity of 13.5 mgd. The total permitted maximum day flow for 2018 is 6.766 MGD. The system includes two (2) above ground storage tanks with a combined capacity of 3.9 mgd and a remote storage facility with a capacity of 2 mgd. No plant improvements are proposed at this time.

Wells:

The City has 12 raw water wells on and around the property where the water treatment plant is located. The City draws its water from the Biscayne Aquifer. The City's Consumptive Use Permit ("CUP") was issued on April 13, 2005 for 20-year duration and will expire April 13, 2025. (Permit No. 06-00121-W). The CUP authorizes an annual allocation of 9.3 million gallons per day (mgd) and stipulates a reduced annual allocation of 8.51 mgd, effective April 13, 2010.

Distribution System:

The City maintains a water distribution system consisting of approximately 225 miles of distribution mains and a remote 2-million gallon water storage tank. There is an existing 12" water main along Margate Boulevard that fronts the property.

3. **Identify the net impact on potable water demand, based on adopted level of service, resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot or dwelling unit.**

Existing Use		
Development Intensity	Generation Rate	Demand
Golf Course	Golf Course 10 gpd / person x 150 people / day	.0015 MGD
Proposed Use:		
Development Intensity	Generation Rate*	Demand
137 dwelling units	335 gpd/ERC	0.0459 MGD
Net Change: + 0.0444 MGD		

4. ***Correspondence from potable water provider verifying the information submitted as part of the application on items 1-3 above. Correspondence must contain name, position and contact information of party providing verification.***

A letter from the City of Margate Engineering Department has been requested. The letter will be provided upon receipt.

Sanitary Sewer Analysis

1. ***Provide the sanitary sewer level of service per the adopted and certified local land use plan. The adopted level of service standard for sanitary sewer service as identified in Policy 2.2.2 of the adopted Comprehensive Plan is 335 gallons per day (gpd) per equivalent residential connection (ERC).***
2. ***Identify the sanitary sewer facility serving the area in which the amendment is located including the current plant capacity, current and committed demand on the plant and planned plant capacity expansions, including year and funding sources.***

The Subject Property is within the service area of the City of Margate Wastewater Treatment Plant which consists of these major operating components:

- *A wastewater treatment plant, which provides secondary treatment.*
 - *A deep well injection effluent disposal system.*
 - *A series of gravity collection mains which serve specific geographical neighborhoods and which discharge into the wet wells of one or more sewage pumping stations strategically located in each area.*
 - *An integrated system of pumping stations that pump raw sewage into force mains and interceptors leading to the wastewater treatment plant.*

There is an existing 12" VCP gravity sewer main located in the Margate Boulevard right of way. This gravity sewer flows to lift station #24. A gravity sewer system will be constructed on the Subject Property that will flow to lift station #24.

The City's Comprehensive Plan indicates that the City's Wastewater Treatment Plant has adequate capacity for buildout of the City. The current statistics for the plant are provided below.

Design Capacity: 12.1 MGD

Permitted Operating Capacity 10.01 MGD

Current Demand: 6.519 MGD

3. *Identify the net impact on sanitary sewer demand, based on the adopted level of service, resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot or dwelling unit.*

<i>Existing Use</i>		
<i>Development Intensity</i>	<i>Generation Rate</i>	<i>Demand</i>
<i>Golf Course</i>	<i>Golf Course 10 gpd / person x 150 people / day</i>	<i>.0015 MGD</i>
<i>Proposed Use:</i>		
<i>Development Intensity</i>	<i>Generation Rate*</i>	<i>Demand</i>
<i>137 dwelling units</i>	<i>335 gpd/ERC</i>	<i>0.0459 MGD</i>
<i>Net Change: + 0.0444 MGD</i>		

4. *Correspondence from sanitary sewer provider verifying the information submitted as part of the application on items 1-4 above. Correspondence must contain name, position and contact information of party providing verification.*

A letter has been requested from the City of Margate Engineering Department. The letter will be provided upon receipt.