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The Forest Apartments
787 S. State Road 7
Special Exception Narrative

Rez Se Land, LLC ("Applicant"), with authorization from 777 Properties, Inc., owner of the parcel located at 787 S. State Road 7, hereby submits this request for special exception approval to develop a multi-family residential community ("Project"). As explained in detail below, this application should be approved because Applicant proposes developing a new, modern residential development with beautiful architecture and landscaping and desirable amenities for future residents in the south end of the City of Margate ("City") on State Road 7, an area which has not experienced new residential development in recent years. The Project will have a positive impact on the neighborhood, create a new residential option for young professionals and families, and promote economic development for the City.

The location for the development is a +/- 7.12 acre parcel on the west side of S. State Road 7 between SW 7th St. and Anderson Rd. ("Property") within the City of Margate ("City"). Currently vacant, the Property is identified by folio number 494101310020 and contains a future land use designation of Activity Center on the City and Broward County Future Land Use Maps and a zoning designation of TOC-G (Transit Oriented Corridor-Gateway) on the City's Zoning Map. Multi-family residential development is permitted via special exception approval in the TOC-G zoning district.

As mentioned above, Applicant proposes developing the Property with a luxury multi-family residential community consisting of 300 dwelling units with resort-style amenities, including a clubhouse and a swimming pool. ("Project"). The Project will provide 301 parking spaces on site, with 16 of those spaces being garage parking spaces. The Applicant will enter into a shared parking agreement with the adjacent property to the west to utilize 180 of the parking spaces. The remaining 230 parking spaces will be for shared parking for use by the businesses within the adjacent office building and the residential development.

To entitle the Project, Applicant is submitting the following applications; 1.) a site plan application to develop the Project on the Property; 2.) a special exception request from Section 8.4(B)(1)(m) to allow the Property to be developed with a multi-family residential project; 3.) a plat note amendment to the restrictive note on the plat to allow the residential use; and 4.) a subdivision resurvey to shift the existing parcel lines of the Property and the Office Building Development to match the proposed site plan parcel lines and to vacate an existing utility easement.

<u>Special Exception Criteria</u>

Per Section 31-54 of the City Code, Applicant must demonstrate compliance with the special exception criteria to receive approval. The criteria are stated below in Bold text, with the responses provided in Italics.

1. **The special exception shall be consistent with the purposes, goals, objectives and policies of the Margate Comprehensive Plan and the Margate Code of Ordinances.**

The Proposed Amendment is consistent with the following policies of the City's Comprehensive Plan:

Policy 1.1.2(k)-The Activity Center land use category is intended to facilitate a balanced and interconnected mix of land uses, provide incentives for quality development and redevelopment, and give definition to the urban form. Development patterns shall generally reflect planning and design principles that integrate housing, employment, retail, recreation and local and regional community facilities within the Activity Center.

The Project will add residential to the Activity Center that will help facilitate the interconnectivity between residential and commercial uses. As an infill development, the Project will provide residential units along State Road 7 within the Activity Center that will support the existing surrounding office and commercial uses. This supports the purpose and intent of the Activity Center land use designation and reflects the development patterns to provide connectivity between the various land uses.

Policy 1.1.7-Facilities and services shall be available concurrent with the impacts of development, while traffic circulation shall meet the level of service standards as specified within the adopted Transportation Element.

The analysis provided within the Hydraulic Evaluation Report included with this submittal demonstrates that there is adequate capacity for the lift station to service the Project and that the Project will not have a negative impact on the existing potable water or wastewater systems. Additionally, the Traffic Impact Study provided with this submittal demonstrates that the proposed development is projected to generate approximately 1,385 daily trips, approximately 120 AM peak hour trips and approximately 117 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 more details.

Policy 1.2.2-The compatibility of existing and future land uses and the established character or predominantly developed areas shall be a primary consideration in the review and approval of amendments to the Future Land Use Plan in order to prevent incompatible uses. It is recognized that approved redevelopment plans aimed at eliminating or reducing blighted and deteriorating areas may appropriately promote the introduction of land use patterns in variance with existing land use patterns.

The proposed residential development is compatibility with the existing and future land uses and established character of the surrounding area. During the City's Margate 2.0 visioning and community outreach sessions, the residents identified the State Rd. 7 corridor as an area where redevelopment should be targeted. The City's Comprehensive Plan also identifies the Activity Center area as an ideal location to target redevelopment for residential and office uses to provide employment opportunities and housing for the employees. As such, the proposed residential development within the Activity Center is in harmony with the intent of and the permitted uses within the Activity Center land use designation and compatible with any future developments within the Activity Center. Additionally, this Project is located adjacent to an existing office complex that demonstrates the City's desire of obtaining a mix of uses with pedestrian connectivity within the Activity Center.

OBJECTIVE 2.1 Future development and redevelopment activities shall be directed to appropriate locations as designated on the Future Land Use Map, consistent with sound planning principles, natural limitations, and the goals, objectives, and policies contained within this plan, consistent with the requirements of S.163.3202 (1), Florida Statues.

The City of Margate is a bedroom community with 60% of the land area having a residential land use designation. Of the 60%, the majority of the land area (40%) contains a low-density future land use designation, allowing single family homes, while only 18% of the residential land use is comprised of medium to high-density housing units (City of Margate Comprehensive Plan-Table T-11). Furthermore, the City's Future Land Use Element of the Comprehensive Plan estimates that at build out in 2040, there will be a projected housing shortage to meet the demands of future populations. With a projected 2040 population of 66,641 residents, an additional 6,125 housing units are needed to meet the housing needs of the future populations.

With limited vacant land available to construct residential dwelling units (assuming build out), the way to meet the demand is by constructing more medium to high-density residential developments in those areas designated on the City's Future Land Use Map for higher density residential; particularly within the Activity Center. This project will help the City meet the housing demands of the current and future populations by providing additional housing units in area that has been designated for higher density residential uses on the City's Future Land Use Map and will not have a negative impact on any existing single-family residential neighborhoods.

Policy 2.1.2-Developments with a density in excess of 25 units per acre should only be permitted if they are designed around a permanent open space and recreational feature that is of a size and scale appropriate for the development that it serves, or along an east-west arterial roadway as designated by the Broward Metropolitan Planning Organization's Broward County Highway Functional Classifications Map, and within a one-quarter mile radius of a transit facility.

The Property is located directly adjacent to the Herman and Dorothy Shooster Nature Preserve that is located to the west. This +/- 19-acre conservation park provides a nature trail and picnic areas with views of the surrounding natural habitat. The residential development will provide pedestrian access to this nature park.

Policy 2.1.3-Increased residential density shall be promoted within the Activity Center land use category, and such development shall provide pedestrian access and connectivity to transit facilities.

The Project is in harmony with this policy and will provide a residential development with increased density within the City's Activity Center. The development of this Project will help the City achieve its goal to provide higher density residential uses in the areas designated as Local Activity Center within the City's Comprehensive Plan and Future Land Use Map. Additionally, the Project will provide pedestrian connectivity to nearby transit facilities along S. State Rd. 7.

Objective 5.3-Discourage urban sprawl by directing new development into areas where necessary regional and community facilities and services exist.

The Project will develop a vacant lot with a multi-family residential development consisting of 300 dwelling units. As a redevelopment project, the Property already has existing connections for water and wastewater that the Project will tie into. Additionally, the Property has connections to an existing roadway system that has the capacity to hold the traffic generated by the Project.

Policy 7.2.4 The redevelopment and development within the Activity Center shall ensure that all parcels of land have pedestrian connections leading to transit stops. Such connections shall be required as part of the land development regulations adopted to implement the Activity Center land use category. Street connections and pedestrian connection locations shall, at a minimum, be consistent with the Activity Center Master Plan.

The Project will provide pedestrian connectivity to nearby transit stops along S. State Rd. 7. All sidewalks will be consistent with the requirements provided within the Activity Center Master Plan within the TOC-G zoning district regulations.

Policy 7.2.6 New development shall incorporate internal pedestrian and transit amenities to serve residents and employees within the area designated as a Activity Center (such as benches or planter ledges, shade, light fixtures, trash receptacles, information kiosks, bicycle parking) or other amenities that could be incorporated into adjacent publicly accessible areas and plazas (such as clocks, fountains, sculpture, drinking fountains, banners, flags and food refreshment vendor areas.) [BCLUP 2.4.16]

The Project includes a paved linear public plaza accessible to the public along S. State Road 7. The plaza provides benches, trash receptacles, bike racks and a trellis to provide shading. Within the development, the resident will have access to a continuous sidewalk path with benches, trash receptacles, bike racks, pet waste stations and amenity spaces such as a pool deck, cabanas, grill stations, dog park, hammock park, and open space.

2. **The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.**

The proposed multi-family residential development will not be detrimental to or endanger the public health, safety, or general welfare. The use will not cause any noise or air pollution. As shown in the Traffic Impact Analysis provided with this submittal, the existing roadway system has the capacity to accommodate the proposed development and the Project will not negatively impact the existing level of service standards on the roadways. More generally, the Project is situated between an existing car dealership to the south, offices to the north, 441 to the east, and a nature preserve to the west. Thus, the proposed use is effectively buffered from other residential uses and is contained on site to avoid negative external impacts.

3. **The establishment, maintenance or operation of the proposed use shall only be approved if in the best interest of the city. It shall be determined that a genuine need for the use is present in the city to support and justify the approval order to avoid creating an excessive proliferation of said special exception use.**

The City of Margate is a community with 60% of the land area having a residential land use designation. Of the 60%, the majority of the land area (40%) has a low-density future land use designation, allowing single family homes, while only 18% of the residential land use is comprised of medium to high-density housing units (City of Margate Comprehensive Plan-Table T-11). Furthermore, the City's Future Land Use Element of the Comprehensive Plan estimates that at build out in 2040, there will be a projected housing shortage to meet the demands of future populations. With a projected 2040 population of 66,641 residents, an additional 6,125 housing units are needed to meet the housing needs of the future populations.

With limited vacant land available to construct residential dwelling units (assuming build out), the way to meet the demand is by constructing more medium to high-density residential developments in those areas designated on the City's Future Land Use Map for higher density residential; particularly within the Activity Center. This Project will help the City meet the housing demands of the current and future populations by providing additional housing units in an area that has been designated for higher density residential uses on the City's Future Land Use Map and will not have a negative impact on any existing single-family residential neighborhoods. In addition, the Project is proposed for an area of the City which has not experienced much, if any, new development in recent years. The Project will fill a need for new development in this area, creating economic development, and generating new property tax revenue.

4. **The proposed use shall be compatible with the existing natural environment and community character of the properties within the immediate neighborhood.**

   The proposed residential development is compatible with the existing natural environment and community character of the surrounding neighborhood. As previously stated, the Project is located within the City's Activity Center, an area targeted for redevelopment and specifically for mixed-use development, such as office and residential uses on connected sites. These uses are permitted within the TOC-G zoning district and therefore are in harmony and are compatible with the uses on surrounding properties within the TOC-G zoning district. While the property to the south is not located within the TOC-G district, the use will be compatible with the existing car dealership or any future commercial uses permitted within the commercial zoning district as the TOC-G district was designed to be a gateway into the Activity Center. This district was designed to allow uses that are compatible with the uses permitted in the commercial districts adjacent to the edges of the Activity Center. As such, design standards were put in place within the TOC-G district to ensure the compatibility with surrounding commercial zoning districts and permitted uses within those commercial districts, including landscape and buffering requirements and building setback, orientation and height requirements. The Project meets all of the design requirements provided within the TOC-G district.

5. **Utilities, roadway capacity, drainage, and other necessary public facilities, including police, fire and emergency services, shall exist at the city's adopted levels of service, or will be available concurrent with demand as provided for in the requirements of this Code of Ordinances.**

   The analysis provided within the Hydraulic Evaluation Report included with this submittal demonstrates that there is adequate capacity for the lift station to service the Project and that the Project will not have a negative impact on the existing potable water or wastewater systems. Additionally, the Traffic Impact Study provided with this submittal demonstrates that the proposed development is projected to generate approximately 1,385 daily trips, approximately 120 AM peak hour trips and approximately 117 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 more details. The Project will have a de minimis impact on police and fire service.

6. **Adequate measures exist or shall be taken to provide ingress and egress to the proposed use, for both vehicles and pedestrians, in a manner that minimizes traffic congestion on public streets, and the use may not result in a significantly greater amount of traffic on local streets than would result from a development permitted by right.**

   The Project will utilize the existing shared access entry/exit points along S. State Road 7 and SW 7th St. These locations are utilized for vehicle and pedestrian entry with connection to the existing sidewalks along S. State Road 7 and SW 7th St. As shown in the Traffic Impact Analysis provided with this submittal, the existing roadway system has the capacity to accommodate the proposed development and the Project will not negatively impact the existing level of service standards on the roadways. The Project will not result in a significantly greater amount of traffic on local streets than would result from a development permitted by right such as grocery stores, medical offices, or shopping centers.

7. **There shall be adequate parking areas and off street truck loading spaces (if applicable) consistent with the parking requirements of the Code, and the layout of the parking and vehicular use areas shall be convenient and conducive to safe operation consistent with city standards to the greatest extent possible.**

   The Project will provide adequate parking spaces that will be easily accessible to each building. The parking spaces will meet all Code requirements regarding the amount of required parking spaces and the design standards for parking spaces. As noted above, a portion of the minimum required parking will be provided with a parking agreement with the office property owner to the north. Additionally, the Project will provide three loading areas with convenient access to each building.

8. **The establishment of the special exception shall not impede the development of surrounding properties for uses permitted in the zoning district nor have a negative impact on the value of those properties;**

   The proposed residential development will not impede the development of surrounding properties for uses permitted within the zoning district nor have a negative impact on the value of any surrounding properties. As previously stated, the Project is located within the City's Activity Center, an area targeted for redevelopment and specifically for office and residential uses. These uses are permitted within the TOC-G zoning district and are therefore, in harmony and will be compatible with any future development on surrounding properties within the TOC-G zoning district. This district was designed to allow uses that are compatible with the uses permitted in the commercial districts adjacent to the edges of the Activity Center. As such, design standards were put in place within the TOC-G district to ensure the compatibility with surrounding commercial zoning districts and permitted uses within those commercial districts, including landscape and buffering requirements and building setback, orientation and height requirements. The Project meets all of the design requirements provided within the TOC-G district.

   Additionally, the Project will increase the property values of the surrounding area by developing a vacant parcel with a multi-family residential development containing 300 dwelling units. This will help to add value to the area and encourage future redevelopment.

9. **The design of the proposed use shall minimize adverse effects, including visual impacts, of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria.**

   Design Standards were placed in the City Code for all TOC districts with the intent of regulating the form of the buildings and site layout to enhance and complement the pedestrian and public realm of the area. The Project has been designed in accordance with these design standards, meeting all regulations regarding landscaping, setbacks and building orientation. Additionally, the Project provides the required urban greenway and paved public space along S. State Road 7. All of these design features create a project that is compatible with the surrounding uses, enhances the pedestrian experience and provides connections to the public realm. In addition, the Project does not abut any single-family or low density residential development, meaning it cannot by virtue of its location adversely affect other residences.

10. **The city commission finds that the granting of the application will be in the best interest of the city.**

    Acknowledged. This requirement is addressed at the final City Commission meeting on the application.

<u>Concurrency Compliance</u>

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.**

   <u>Name, address and telephone number of the applicant</u>
   Rez Se Land, LLC
   1000 Brickell Plaza 34104
   Miami, FL 33131-383 UN
   Contact: Saul Perez
   Telephone: 305-562-4704

   <u>Location</u>
   The Property is a vacant parcel located on the west side of S. State Road 7 between SW 7th St. and Anderson Rd. and consists of +/- 7.12 acres.

   <u>Land Use & Zoning</u>
   The City and Broward County Future Land Use Plan designation for the Property is Activity Center and the zoning designation is TOC-G.

   <u>Density</u>
   The Property is located within the Margate Activity Center. The permitted uses for this activity center include the following:

- *Commercial Land Uses: 4,454,894 square feet*
- *Industrial Land Uses: 1,830,884 square feet*
- *Office Land Uses: 1,371,159 square feet*
- *Residential Land Uses: 3,565 dwelling units*
- *Hotel: 555 rooms*
- *Recreation and Open Space: 35 acres (minimum)*

As with all activity centers, the density is not determined by the size of parcel based on a per acre basis. Rather, the units are taken from the pool of available units or pool of residential flexibility units. As such, Applicant requests allocation of 300 flex units.

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 1,385 daily trips, approximately 120 AM peak hour trips and approximately 117 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 more details.

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

   Drainage, Water & Wastewater
   The City of Margate Engineering Department will not provide the letter until the application has reached the DRC review stage. A request for the letter will be sent to the Engineering Department as that time.

   Solid Waste
   An e-mail correspondence from Bob Hely with Waste Innovations confirming the landfill capacity and a letter from Republic Services confirming capacity to service the project has been provided with this submittal (please see document titled, Republic Trash Service Confirmation).

Community Parks Level of Service

Per the City's Comprehensive Plan, the adopted level of service for parks/open space is 3 acres per 1,000 population. The table below shows the community parks demand generated by the Project based on the City's level of service standards.

Current Use		
Development Intensity	**Generation Rate**	**Demand**
Vacant Land	3 acres/1,000 people	0 acres
Proposed Use		
Development Intensity	**Generation Rate**	**Demand**
300 Dwelling Units (2.5 per capita)	3 acres/1,000 people	2.25 Acres
NET CHANGE: +2.25 acres		

The County projects that the City's population will be approximately 66,641 in 2040 and 68,660 in 2045. The certified 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. Based on these figures, the City will be operating below level of service standards beginning in 2040, where 199.9 acres will be required and a total of 206 acres will be needed in 2045 to meet level of service standards.

While the Project generates a demand of 2.25 acres of community parks, the community parks acreage demand was accounted for when the land use plan amendment for the Activity Center area was adopted. At this time, the demand generated by, and the community parks acreage available for all 3,565 residential units proposed for the properties located within the Activity Center boundaries was demonstrated on the land use plan amendment. As such, the community parks demand generated by the Project was accounted for in the adoption of the land use plan amendment for the Activity Center and does not negatively impact the City's level of service.

Additionally, the Project is providing an urban greenway with a multi-modal path running along State Rd. 7, with connectivity to an outdoor public plaza. This area provides a public trail to be utilized for non-motorized forms of transportation that will connect to a continuing trail that will be constructed as other properties are redeveloped in the TOC-G district in the future. As the Property is the last parcel to the south included in the Activity Center boundaries, the public plaza acts as a terminus point and resting stop for the multi-modal path and urban greenway.