



City Commission

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

City Manager

Cale Curtis

City Attorney

David Tolces

City Clerk

Jennifer M. Johnson, MMC

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

**Tuesday, May 13, 2025
10:00 a.m.**

City of Margate
5790 Margate Boulevard
Margate, FL 33063

PRESENT:

Elizabeth Taschereau, Director, Development Services
Andrew Pinney, AICP, Senior Planner
Christopher Gratz, AICP, Senior Planner
Paul Ojeda, Associate Planner
Richard Nixon, Director, Building Department
Paula Fonseca, Engineer, DEES
David Scholl, Fire Marshal
Major Alain Banatte, Police Department
Gio Batista, Director, Public Works
David Tolces, City Attorney
Lisa S. Bernstein, Consultant Traffic Engineer (via Zoom)

ALSO PRESENT:

Matthew H. Scott, Esq., Greenspoon Marder, LLP
Rick Stephano, SCP of Project Development, Rosemurgy Acquisitions
Chris Hagan, Transportation Engineer, Kimley Horn

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, May 13, 2025, at the City of Margate Commission Chambers, 5790 Margate Boulevard, Margate, FL 33063.

NEW BUSINESS

- A) *ID2025-120*
DRC NO. 24-00400067 CONSIDERATION OF A DEVELOPMENT AGREEMENT FOR THE REDEVELOPMENT OF CAROLINA CLUB GOLF COURSE
LOCATION: 3011 ROCK ISLAND ROAD
ZONING: S-2 OPEN SPACE 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: HOLIDAY SPRINGS EAST 133-49 B PARCEL "O-1" TOGETHER WITH 23-48-41 THAT PORTION K/A CAROLINA GOLF COURSE

PETITIONER: MATTHEW H. SCOTT, ESQ., GREENSPOON MARDER, LLP, AGENT FOR ROSEMURGY ACQUISITIONS, LLC

B) *ID2025-121*

DRC NO. 24-00400057 CONSIDERATION OF A LAND USE PLAN AMENDMENT FOR THE REDEVELOPMENT OF CAROLINA CLUB GOLF COURSE

LOCATION: 3011 ROCK ISLAND ROAD

ZONING: S-2 OPEN SPACE DISTRICT

LEGAL DESCRIPTION: HOLIDAY SPRINGS EAST 133-49 B PARCEL "O-1" TOGETHER WITH 23-48-41 THAT PORTION K/A CAROLINA GOLF COURSE

PETITIONER: MATTHEW H. SCOTT, ESQ., GREENSPOON MARDER, LLP, AGENT FOR ROSEMURGY ACQUISITIONS, LLC

C) *ID2025-122*

DRC NO. 24-00400056 CONSIDERATION OF A REZONING FOR THE REDEVELOPMENT OF CAROLINA CLUB GOLF COURSE

LOCATION: 3011 ROCK ISLAND ROAD

ZONING: S-2 OPEN SPACE DISTRICT

LEGAL DESCRIPTION: HOLIDAY SPRINGS EAST 133-49 B PARCEL "O-1" TOGETHER WITH 23-48-41 THAT PORTION K/A CAROLINA GOLF COURSE

PETITIONER: MATTHEW H. SCOTT, ESQ., GREENSPOON MARDER, LLP, AGENT FOR ROSEMURGY ACQUISITIONS, LLC

Andrew Pinney, Senior Planner, advised that all three (3) items were for the same project and would be heard together. He introduced the items and advised that comments were published with the agenda.

Matthew H. Scott, Esq., Greenspoon Marder, LLP, agent for Rosemurgy Acquisitions LLC, provided a summary of the project. He explained the team had been working on the application for over a year and wanted to have this first DRC meeting to identify key hurdles in the project. He stated the team is reviewing the comments in depth before meeting with neighbors and local homeowners' associations to ensure accurate information about the project could be provided. He stated the proposed plan was to redevelop the Carolina Club Golf Course with a commercial pod with neighborhood serving uses, a pod of townhomes, a pod of multi-family apartments, and over 65 acres of lakes, walking trails, and open space.

Attorney Scott noted there were a number of comments on traffic and stated the applicant was seeking approval of staff to engage the City traffic consultant to begin the required study.

Chris Hagan, Transportation Engineer, Kimley Horn, stated most of the items in the DRC report could be worked through by meeting with the City's Traffic Consultant but the team had some questions. He highlighted Engineering reference 49, as follows:

*TRAFFIC**Section F. Traffic Circulation**Table 5: Trip Generation*

- a. The existing golf course has been closed since 2019. It is not applicable as an existing use.*
- b. The Land Use Code for the commercial portion assumes a shopping plaza with a grocery store with a total of 57,500 square feet (sf). Please provide the sf of the retail and grocery store separately.*
- c. The residential units are not included in the trip generation.*

Mr. Hagan stated when doing a LUPA, the application typically compares the maximum theoretical development intensity of the current Land Use Designation to that of the proposed designation, which was the reason the golf course had been used as a comparison. He advised that they understood the full traffic study would reflect that the golf course was not operational, but for the LUPA, the comparison would be categories. He stated this was consistent with the Broward County Planning Council methodology. Mr. Hagan noted item c, and explained the residential units were not included in the trip generation because they are already part of the density pool. He stated the residential units were not being sought as part of this application.

Attorney Scott clarified that the Carolina dashed area has more residential units existing, so the application was not asking for more residential units. He stated sometimes in LUPA there is no existing residential density allocated to a site, but in this case it was already accounted for when the dashed line area was approved by the City.

Mr. Hagan highlighted Engineering reference 50, as follows:

*TRAFFIC**Section F. Traffic Circulation*

Please provide trip distribution documentation.

Mr. Hagan stated this item may require a larger discussion with the City's traffic consultant. He advised that there are multiple methodologies that could be used, so he wanted to clarify what documentation would be needed.

Mr. Pinney advised that staff does recognize and acknowledge the units vested on the Land Use Map, however when it comes to crediting the golf course, he had included an "Information Only" comment at reference 62, as follows:

If relying on vested rights of this property, please follow the process described in Section 40.343 ULDC.

Attorney Scott asked whether Mr. Pinney was suggesting that if the applicant claims there are units available, they should get the vested rights determination in writing. Mr. Pinney stated he

was less concerned with the units, as those are on the map, but with the vested rights of the previously developed golf course, including the square footage of the clubhouse and event center, as well as the trips generated.

Paula Fonseca, Engineer, DEES, asked that the city's Consultant Traffic Engineer, Lisa S. Bernstein, respond to Mr. Hagan's comments.

Ms. Bernstein stated she was okay with comparing the existing use to the proposed use in the LUPA if the City was okay with it. Ms. Fonseca confirmed staff was comfortable with comparing the categories on the LUPA. She noted this would address Engineering reference 49.a.

Mr. Hagan stated a written response to the comments would be provided. He advised the applicant understood they could not take credit for the golf course in the Rezoning traffic study because it was not reflective of traffic counts.

Attorney Scott stated the Fire comments were repeats, and noted the applicant was working with staff to get a fire concurrency evaluation in process. He advised that his remaining questions were regarding comments on the Rezoning application.

Mr. Pinney commented that the Broward County Planning Council was prioritizing affordable housing, and although this amendment would not obligate the developer to provide any affordable housing under Policy 2.16.2, he wanted to clarify on record whether the developer was willing to provide any affordable housing within this project or possibly make a contribution to the Broward County Affordable Housing fund.

Attorney Scott stated because it was not a requirement and because the developer was under the impression that the City did not want affordable housing, this was not something that had been contemplated. He advised that he would investigate and report back.

Mr. Hagan highlighted Engineering reference 24, as follows:

TRAFFIC

Introduction

The conceptual plan will need to be revised to include an actual site plan for the purposes of the traffic study review. This is required for traffic circulation, intersection analyses, and any proposed improvements. Full site plan including overall layout, building, structures, entrances/exits driveway locations, access roads, direction of traffic, pavement markings, signage, traffic circulations, parking areas, loading areas, number of parkings, speed bumps, pedestrian traffic, emergency access, access to public transportation, queuing space for vehicles, etc. shall be included to properly evaluate the traffic component for this development.

Mr. Hagan stated for a Rezoning application, a full site plan to the level of detail described is not prepared. He noted that a concept plan or bubble plan was provided with the general locations of the pods and access points and stated his understanding was that later, each pod would have a separate application, and this would be the appropriate time for the level of detail referenced in the comment.

Attorney Scott provided a brief overview of the structure of the project to this point. He stated they had applied for a LUPA and a Rezoning, to be followed by a development agreement. He stated the development agreement would create obligations on the part of the developer as well as maximum and minimum levels of development. He reiterated that because it is such a large undertaking to redevelop something like a golf course, the applicant wanted to do the site plans at a later date. He stated should those applications be approved by the City and County, the developer would submit site plans which would then only be approved if they meet individually meet Code requirements, including traffic.

Ms. Fonseca thanked Attorney Scott for his response to the comment and stated the Engineering Department looks forward to reviewing the site plans to determine the actual impact of the development. She stated staff needs to address something that is concrete in order to provide any recommendations, and noted it was difficult for the City to assess impacts without site plans.

Attorney Scott stated the applicant team thought it would make sense to add language to the development agreement that would outline the things that must be done in the site plan stage in order to get site plan approval so there is no uncertainty on the City's part that those things would get addressed. He advised it was not the intention to skirt those obligations in any way but to bifurcate the land use and zoning from the site plans.

Ms. Fonseca asserted there was no way to do the development agreement when staff does not know the traffic impacts.

City Attorney David Tolces stated there was language in the development agreement which would require specific items, including the traffic study and analysis, as well as what improvements will need to be made as a result of the traffic study. He advised that he would continue to work with the applicant to review, revise, and update the agreement to make sure that staff is comfortable with the process that would be in place if the applications get approved.

Mr. Pinney clarified that in these types of applications, the City has to have a finding that there is adequate public service available for the proposed development, called concurrency. He stated the Code directs staff to assume the maximum impact permitted under the land use and zoning category. He noted that if a site plan is submitted, staff can use that as the basis for reviewing the impact rather than reviewing worst case scenario. He stated this may be something that can be navigated with the development agreement.

Attorney Scott stated this was understood. Mr. Hagan confirmed this was understood and stated he understood that certain information, like the access points and type of access, was needed in

order to do a traffic study. He stated the concept plan provided could be refined to add more detail than what was provided, but a determination on what level of detail was available at this time would need to be made.

Ms. Fonseca stated Engineering was likely to have comments once they are able to review each of the pods and their drainage, traffic, and other impacts. Mr. Hagan confirmed this was understood. He referenced projects in other municipalities briefly.

Ms. Fonseca commented that once they have those details, staff would also need to review the impact on Sample Road and adjacent intersections, and make associated recommendations based on the Code.

Gio Batista, Director, Public Works, added that the concerns brought up in internal discussion were the notion that beyond the site plan, there may be queueing lanes and storage lanes off-site to best serve the community. Mr. Hagan stated he understood. He noted the goal of this process was to identify those items.

Mr. Pinney advised that the applications before the DRC would go through a public hearing process, as would the plat application, but the site plans would typically be an administrative process. He noted that when working in this order, the policy makers may not know the full impact of the project.

Mr. Hagan stated part of the purpose of the full, overall traffic study was to identify any off-site improvements and anything on the public right-of-way. He stated the expectation was that items like a deceleration lane or an extended turn lane would be identified by that study and the study would inform the conditions of approval which would become an obligation of the project. He stated from a pod-by-pod perspective, the information would be more about traffic and flow within the project boundaries, along with things like the location of a gate and guest parking.

Attorney Scott stated the idea of a development agreement was to provide a level of protection as the project goes through the process, and the site plan is a clearly established process within the Code. He advised the intent was to address the level of detail requested, but not in this phase.

Mr. Batista stated he wanted to make sure the applicant understood staff's commitment was to ensure the applicant was aware of those things that might be problematic so they can proactively look ahead. He advised staff did not want to impose things that should not be imposed, but wanted to enlighten as to what kind of situation might require shifts in the development to make it economically feasible. Attorney Scott stated this was understood.

Mr. Hagan highlighted Engineering reference 25, as follows:

TRAFFIC

The methodology provided in Appendix A does not match the study and does not appear to be approved by the City.

Mr. Hagan stated the methodology was prepared over a year ago based on an initial conversation with staff, prior to the outside consultant being brought in. He asked that the methodology be revisited and discussed with Ms. Bernstein, and noted they hoped that any tweaks would be relatively minor, as time had been spent defining the parameters.

Ms. Bernstein stated revisiting the methodology was fine. She advised her understanding was that based on the traffic study submitted for the Rezoning, she was to determine that it does not have an impact on the surrounding roadways, but she does not have enough information to make that statement. She stated she was not sure how the development order would proceed with respect to that requirement. She added that she was not able to know what is happening on the external roadways without knowing the internal movement of the pods.

Mr. Hagan stated the team could provide more detail for the pods, including how many units are in each pod, where their access locations would be, and the configuration of the access points. He pointed out this would inform the driveway operation and the distribution on the external roadway system, providing the detail needed to evaluate level of service on Sample Road, Rock Island Road, and others. He noted they do not know yet where the mailbox drop-off would be within the site or where speed humps would be located on the internal roads, and other things of that level of detail, but that should not be needed to assess the level of service and whether improvements are needed.

Ms. Bernstein advised that would be better and noted she would like the level of service and delay tables to be listed per movement as well as per approach. She stated the applicant was also showing an additional connection to Sample Road, asked if they had met with Florida Department of Transportation (FDOT). Mr. Hagan confirmed they had a pre-application with FDOT.

Ms. Bernstein asked if the connection had been approved. Mr. Hagan stated they would provide the pre-application approval letter.

Mr. Hagan highlighted Engineering reference 36, as follows:

Project Traffic

Trip Generation

- a. *The existing golf course has been closed since 2019. It is not applicable as an existing use.*
- b. *The Land Use Code for the commercial portion assumes a shopping plaza with a grocery store with a total of 57,500 square feet (sf). Land Use Code 821 Shopping Plaza states that no shopping plaza is less than 40,000 sf with a supermarket as its anchor. The retail portion of the plaza is no less than 40,000 sf as supermarkets are usually larger than that. Please provide the sf of the retail and grocery store separately.*
- c. *Please include a statement explaining why the Average Rate was used versus the Fitted Curve equations.*

Mr. Hagan explained the actual tenants for the retail are not known at this stage, so the applicant will need to discuss with staff to determine the appropriate category which would provide the worst case or conservative analysis. Ms. Bernstein commented that it sounded like the project would be restaurants and retail to enhance the area, which was not a problem, but needed to be clarified.

Mr. Hagan stated the rest of the comments were technical and were relatively straightforward to respond to. Ms. Bernstein advised that if staff was comfortable, she did not have a problem speaking with Mr. Hagan directly. Ms. Fonseca agreed and stated staff could set up a meeting.

Attorney Scott thanked the DRC members for their thoughtful comments and revisions to the development agreement and stated the applicant team was reviewing that feedback. He stated he had no further comments or questions at this time.

Mr. Pinney opened the floor to any additional Board member comments.

Mr. Pinney shared a point of information, noting the adopted level of service for arterials and collectors in Margate is Level of Service D and the local roads are Level of Service C. He noted in the Rezoning narrative, Level of Service E and F are referenced. He asked that the applicant work with the traffic consultant to reach an understanding on the development agreement. He stated on these applications, the DRC acts as a recommending body. He advised that at this time, they recommend a resubmittal to the DRC to try to address more of the comments before the public hearing.

City Attorney Tolces stated that with respect to the development agreement, staff and his office continue to review, so they may have additional comments and appreciate the applicant's continued willingness to work with them. Attorney Scott stated it was the applicant's expectation that there would be quite a bit of back and forth on the development agreement prior to reaching a final response.

GENERAL DISCUSSION

There being no further business to discuss, the meeting was adjourned at 10:40 a.m.

Respectfully submitted,

Elizabeth Taschereau, Director of Development Services