



DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

Project Name: Nove of Margate

Applicant: Matthew H. Scott, Esquire, agent for Michael Fimiani, Fimiani Development Corporation

Project Location: 7870 Margate Blvd

DRC #: 23-400013

Application Type: Rezoning

I. RECOMMENDATION:

CONDITIONAL APPROVAL

II. SUMMARY:

Fimiani Development Corporation (“Applicant”) has submitted a rezoning application in order to redevelop a 21.3-acre golf course as a Planned Unit Development PUD zoning district for a 132-unit townhouse development identified as Nove of Margate. The Margate Development Review Committee (“DRC”) recommended a conditional approval on September 26, 2023. The DRC comments are attached as Exhibit A, and the meeting minutes are attached to this staff report as Exhibit B. In addition to the DRC comments, this rezoning application is contingent upon adoption and recertification of a concurrently filed application for Land Use Plan Amendment (“LUPA”).

III. ANALYSIS:

General

The subject property of this application consists of Parcel 3 and a portion of Parcel 4 of ORIOLE GOLF AND TENNIS CLUB SECTION TWO, according to the plat thereof, as recorded in Plat Book 78, Page 21 of the public records of Broward County, Florida, in 1973. Broward County Property Appraiser (“BCPA”) records indicate that the subject property was developed in 1973 as a 9-hole golf course with a 681 square foot building. This golf course was known as the Margate Executive Golf Course.

The subject property is generally located along the south side of Margate Boulevard, approximately 800 feet west of NW 76th Avenue, and approximately 80 feet east of NW 79th Avenue. The property consists of two parcels, identified with BCPA folio numbers 484135050030 and 484135080010. Both parcels considered, the subject property is 21.3 acres in area.

Applicant has filed concurrent applications for LUPA, Rezoning, and Site Plan. This staff report provides analysis and a recommendation for the Rezoning. It is important to note that the rezoning of the property can only be approved if the LUPA is approved, including recertification by the Broward County Planning Council. The current land use designation on most of the subject property is Commercial Recreation, and this land use category does not permit the type of development proposed by Applicant. State law prohibits local governments from approving developments that are not consistent with their adopted comprehensive plans.

State law requires the City to accept a concurrent rezoning application with the LUPA application. Specifically, 163.3184(12) provides, “At the request of an applicant, a local government shall consider an application for zoning changes that would be required to properly enact any proposed plan amendment transmitted pursuant to this section. Zoning changes approved by the local government are contingent upon the comprehensive plan or plan amendment transmitted becoming effective.” A site plan is a major part of a PUD rezoning development plan and is a required component of a rezoning of land to PUD, so Applicant was required to file a site plan concurrently with this rezoning application. Due to the interdependent nature of the PUD zoning category and the site plan, this staff report will provide analysis of both applications.

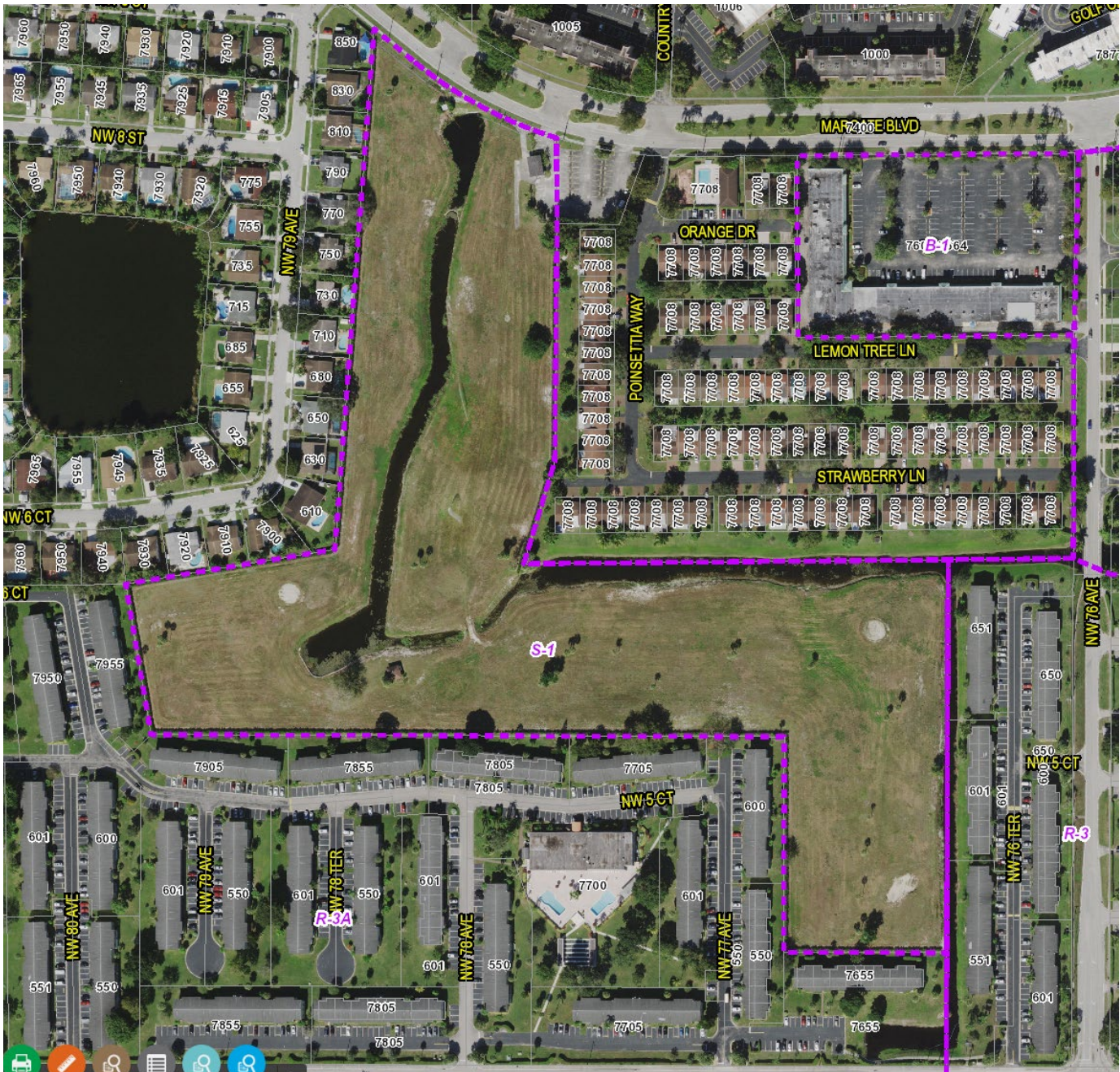
The table below identifies the zoning designations and brief descriptions of abutting developments:

ABUTTING	NAME	DEVELOPMENT TYPE	ZONING
North and East	Garden Patio Villas	Villas	R-3A
West and North	Oriole Margate VI	Single Family, detached	R-3A
West, South, and East	Oriole Gardens Phase 2	Multifamily, low-rise	R-3A and R-3



[Subject Property – Current Condition]

Applicant's rezoning application requests a change in the zoning designation of the subject property **from** Recreational S-1 district and Multiple Dwelling R-3A district **to** Planned Unit Development PUD district. The majority of the subject property currently has a zoning designation of Recreational S-1 district. A small portion of the subject property, namely the northeastern corner where the former executive golf course had its parking lot, has a zoning designation of Multiple Dwelling R-3A district.



[Margate Geographic Information Systems (“GIS”) map displaying zoning boundaries]

Process

Section 31-36(b)(2) of the Code of the City of Margate provides the following process and requirements to change of the zoning of a property:

“A change in zoning on platted land which need not be replatted prior to issuance of a building permit shall be permitted after a determination has been made by the city commission that services are available to serve the development permitted in the zoning district which is being

petitioned. A determination that services are available shall be made when the city commission approves a report submitted by the development review committee which indicates the conditions contained in section 31-35 of this article have been met.”

Section 31-15 of the Code of the City of Margate provides that, “No application for construction of a principal building on a parcel of land shall be granted unless a plat including the parcel or parcels of land have been approved by the city commission of the City of Margate and the county commission and recorded in the official records of Broward County subsequent to May 30, 1955.” As stated earlier in this report, the subject property is part of the ORIOLE GOLF AND TENNIS CLUB SECTION TWO plat, which was recorded in the public records of Broward County in 1973. The subject property need not be replatted prior to the issuance of a building permit.

This application was reviewed by DRC on June 28, 2023 and again on September 26, 2023 where the Committee recommended a conditional approval. Per Section 31-35 of the Code of the City of Margate the DRC found that adequate services exist or will be provided concurrent with the development. This application, as well as currently filed LUPA and site plan applications included traffic reports, drainage plans for the subject property, school capacity letters from the School Board of Broward County, and a number of other exhibits that were used to evaluate the proposal. The staff comments and meeting minutes are attached to this staff report as Exhibits A and B.

PUD Zoning

Section 19.2 of the Margate Zoning Code provides the intent and purpose of the PUD zoning district, as follows:

“It is intended that this district be utilized to permit great flexibility in the use and design of structures and land in situations where modification of specific provisions of this Code will not be contrary to the intent and purposes or inconsistent with the comprehensive plan upon which they are based, and will not be harmful to the neighborhood in which they occur.

Regulations for planned unit developments are intended to accomplish the purposes of zoning, subdivision, and other applicable city regulations to the same degree that such regulations are intended to control development on a lot-by-lot basis. In view of the substantial public advantages of planned unit development, it is the intent of PUD regulations to promote and encourage development in this form where tracts suitable in size, location and character for the uses and structures proposed are to be planned and developed in a unified and coordinated manner.”

Section 19.4 of the Margate Zoning Code defines a PUD, as follows:

A "planned unit development" shall be defined as follows:

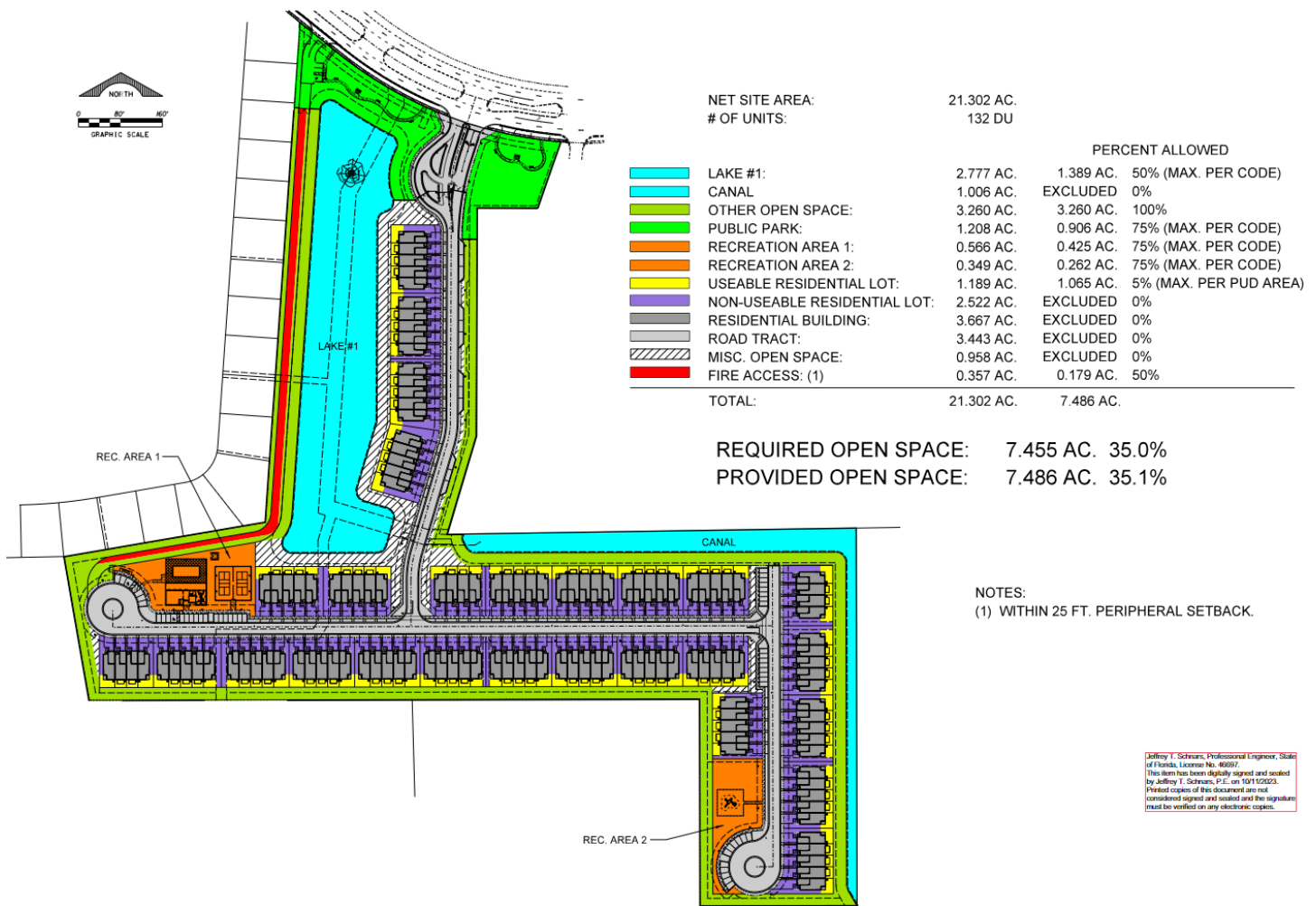
A PUD is land under unified control, planned and developed as a whole in a single development operation or an approved programmed series of development operations for dwelling units and related uses and facilities.

A PUD may include principal and accessory uses and structures substantially related to the character of the development itself and the surrounding area of which it is a part.

A PUD shall be developed according to comprehensive and detailed plans which include streets, utilities, lots, building sites and the like, and site plans, floor plans and elevations for all buildings intended to be located, constructed, used, and related to one another, and detailed plans for other uses and improvements on the land related to the buildings; and a PUD shall include a program for full provision [of] maintenance and operation of such areas, improvements, facilities and services for common use by the occupants of the planned unit development which will not necessarily be provided, operated or maintained at public expense.

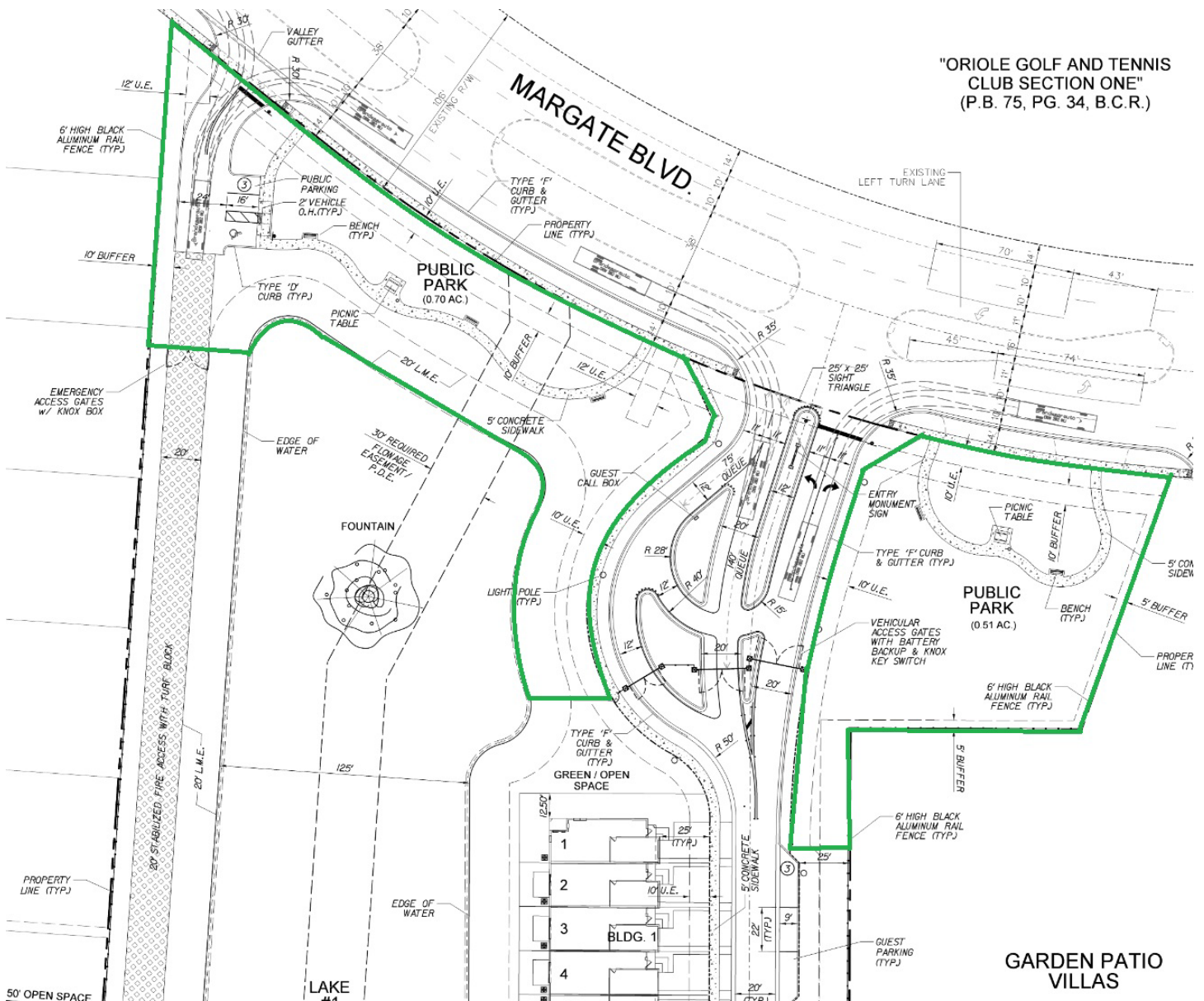
The PUD zoning district is unique from other zoning districts in the City. The uses are liberal provided that development does not exceed the maximum density permitted by the comprehensive plan, including certain PUD specific limitations on nonresidential uses. This district permits all uses permitted in any other residential zoning district, all uses within the Neighborhood Business B-1 district, and all uses within the Recreational S-1 district. With the exception of a few design requirements, this district allows significant flexibility in the design on the development. The PUD design criteria that all PUD developments must adhere to include a 25-foot peripheral setback, a minimum of 35% of the gross area of the PUD must be provided as open space, the development must provide landscaping consistent with the requirements of Chapter 23 of the Code of the City of Margate, and the off-street parking and loading requirements shall not deviate from Article XXXIII of the Margate Zoning Code. Beyond these requirements, there are no typical zoning requirements, such as setbacks or lot coverage.

In order to satisfy the open space requirement described in Section 19.11 of the Margate Zoning Code, Applicant's site plan has been designed to include a 1.208-acre public park dedication along Margate Blvd, the required 25-foot peripheral setback, a clubhouse with swimming pool and pickleball courts, a third recreation site featuring a tot-lot, a 2.77-acre lake, and finally, Section 19.11 allows the private fenced in yards of the townhouses to be credited provided those fenced in areas do not exceed 5% of PUD acreage. Applicant included a color-coded open space exhibit to demonstrate compliance with the Code requirement. Staff confirmed that the minimum amount of open space has been provided, parking standards conform to City Code, and that the site provides landscaping in accordance with Chapter 23 of the Code of the City of Margate.



[Applicant's Open Space Exhibit]

The Nove of Margate PUD Development Plan provides access from Margate Boulevard and depicts a gated entry for the community. All roads, internal walks, street lighting, water, sewer, and all drainage infrastructure will be privately maintained. The recreation amenities developed with this project will also be privately maintained by the development, including the 1.21 acres of land, to be used as a public park along Margate Boulevard. The park space depicted on concurrent applications filed by Applicant shows a meandering pedestrian path, lake access, picnic tables, benches, and three parking spaces. When Staff asked Applicant to clarify the means and intent of creating the public park dedication, Applicant responded through Margate's application review system on August 11, 2023 with, "Applicant will record a restrictive covenant or similar acceptable legal document which requires the park area to be maintained as a park and open to the public during daylight hours in perpetuity. The legal covenant will also require Applicant and its successors or assigns to maintain the park area in perpetuity. The intended users of the park area will be local, surrounding residents and new residents of the proposed community. The intent is to create a dedicated, publicly accessible green space area and walking trail area for people, including children, to be able to play, have picnics, and fish in the lake/canal area."



[Applicant's Public Park Dedication]

Section 19.13 of the Margate Zoning Code requires that at least two professionals are required to be used as part of the design or planning process of a PUD submittal. The professionals used must be either an AICP certified planner, an architect licensed in Florida, or a professional engineer licensed in Florida and trained in civil engineering. The applicant utilized Jeff Schnars, P.E. of Schnars Engineering Corporation whose license number is 46697 and James Cantwell of AB Design Group, whose Florida license number is AR0012079.

Additional considerations for a rezoning to the PUD district include analysis of the projected net fiscal impact on the tax base of the City, as required in Section 19.17 of the Margate Zoning Code. Both parcels of the subject property paid a combined total of \$17,360.38 for 2022 ad valorem property

taxes. Of this figure, \$2,479.53 went to Margate Operating, and \$185.94 went to Margate Debt Service, for a total of \$2,665.47 in ad valorem taxes. Additionally, a \$188.40 fire fee was imposed on the subject property for 2022. Total annual tax and assessment revenue for Margate was \$2,853.87. These value were provided from the Broward County Property Appraiser’s Notice of Ad Valorem Tax and Non-Ad Valorem Assessments, and are attached to this report as Exhibit C.

2022 Ad Valorem Taxes and Assessments				
Folio	Ad Valorem	Fire Assessment	Total	City
484135050030	\$16,140.97	\$188.40	\$16,329.37	\$2,555.41
484135080010	\$1,031.01	\$0	\$1,031.01	\$298.46
Combined	\$17,171.98	\$188.40	\$17,360.38	\$2,853.87

Applicant provided a Fiscal Impact Study for Nove of Margate prepared by ESI Consult Solutions, Inc., which provided an estimate of the projected assessed value of the proposed townhome development. Using the 2023 millage rates, and assuming that all 132 townhouses would have homestead tax exemptions, the study estimates that the property taxes generated from the townhouse buildings (excluding land value) would range from \$481,598 to \$713,915. Of this, the study estimates that Margate’s portion of the property taxes for the new buildings would be \$173,472 to \$261,127.

Each of the proposed 132 townhouses would also be subject to an annual fire fee. This fee is currently a flat rate of \$300 per dwelling unit, so this project would generate a total of \$39,600 in fire fee assessments for the proposed 132 townhouses. When using the figures provided by ESI and assuming all 132 townhouses will be homesteaded, the proposed project is expected to increase annual taxes and assessments for Margate between \$210,218.13 to \$297,873.13 in the first year.

ESTIMATED Taxes and Assessments*				
	Total Ad Valorem	City Ad Valorem	Fire Assessment	City Total
Low Homestead:	\$481,598	\$173,472	\$39,600	\$213,072
High Homestead:	\$713,915	\$261,127	\$39,600	\$300,727
		Net Change (Low Estimate):		\$210,218.13
		Net Change (High Estimate):		\$297,873.13

*ESI Consultants Solutions, Inc. provided building tax revenue estimate only

Rezoning to PUD includes review of the floorplans and elevations. Although there are no specific architectural criteria applicable to this project, staff provided a number of recommendations intended to enhance the quality of the development. Applicant adopted some, but not all of the recommendations. The recommendations have are included in the DRC staff comments, Exhibit A of this report.



[Applicant's Typical 5-Unit Elevation]

As described above and in the attached exhibits, staff finds that this application generally satisfies the PUD zoning requirements.

A handwritten signature in black ink, appearing to read 'Andrew Pinney', positioned above a horizontal line.

Andrew Pinney, AICP
Senior Planner
Development Services Department
City of Margate

STAFF REPORT EXHIBITS

- Exhibit A: DRC Staff Comments – September 26, 2023
- Exhibit B: DRC Meeting Minutes – September 26, 2023
- Exhibit C: Broward County Property Appraiser's 2022 Notice of Ad Valorem Tax and Non-Ad Valorem Assessments For Subject Property

Exhibit A

DRC Staff Comments – September 26, 2023

Project Name: 23-00400013

Project Description: Springdale Townhomes Rezoning

Ref. # 11, Building Group, Richard Nixon, 3/15/23 12:44 PM, Cycle 1, Info Only

Comment: Permit applications and a complete set of construction documents are required.

Ref. # 10, CRA, Christopher Gratz, 3/14/23 2:12 PM, Cycle 1, Info Only

Comment: This project is not within the CRA.

Ref. # 3, Coordinator, Andrew Pinney, 11/28/22 10:44 AM, Info Only

Markup: Change mark note #01, JUST.pdf

Correspondence from local drainage district is required. Application is incomplete without it,

Coordinator Response: Andrew Pinney - 2/6/23 9:36 AM

DEES Director advised that we could accept the application without this letter.

Responded by: Amanda Martinez - 1/26/23 10:45 AM

The letter has been requested from the City's Engineering Division. It will be provided upon receipt.

Ref. # 5, Coordinator, Andrew Pinney, 11/28/22 10:44 AM, Info Only

Markup: Change mark note #02, JUST.pdf

Correspondence from potable water supplier is required. Application is incomplete without it,

Coordinator Response: Andrew Pinney - 2/6/23 9:36 AM

DEES Director advised that we could accept the application without this letter.

Responded by: Amanda Martinez - 1/26/23 10:45 AM

The letter has been requested from the City's Engineering Division. It will be provided upon receipt.

Ref. # 6, Coordinator, Andrew Pinney, 11/28/22 10:44 AM, Info Only

Markup: Change mark note #03, JUST.pdf

Correspondence from sanitary sewer provider is required. Application is incomplete without it,

Coordinator Response: Andrew Pinney - 2/6/23 9:36 AM

DEES Director advised that we could accept the application without this letter.

Responded by: Amanda Martinez - 1/26/23 10:45 AM

The letter has been requested from the City's Engineering Division. It will be provided upon receipt.

Ref. # 13, Engineering, Randy Daniel, 3/28/23 8:20 AM, Cycle 1, Info Only

Comment: The 12" Water main that will service the project is made of Asbestos Concrete and was installed in 1972. There may be a need to replace this pipe in part or in its entirety to guarantee a reliable potable water supply to the new 137 units.

Ref. # 25, Engineering, Randy Daniel, 5/19/23 2:36 PM, Cycle 3, Info Only

Comment:

1.The objective of DEES' review is to ensure that this development will not increase the flood hazard on other properties upstream, adjacent, or downstream of the project. In this regard, the supporting documents associated with the "No Rise Certification" appear insufficient but will be more closely analyzed during the technical review stage.

2.The water course that the developer proposes to convert to a lake is currently categorized as a FEMA AE flood zone. Accordingly, the developer shall seek a letter of map change from FEMA for changes in flood way boundaries, changes in boundaries of flood hazard areas shown on FIRMs, or changes in BFEs. FEMA'S approval of this map change will be a prerequisite for approving this project.

3. The water course has a specific catchment basin and discharges to the C-14 Canal. The adjacent land to the watercourse is vacant and performs as the flood way for the watercourse. FEMA's requirements for development in the flood way are: (1) prove that there is no obstruction to flood flows and, (2) show that there shall be no damage or nuisance caused to others. Consequently, a more detailed analysis including but not limited to computer modelling, may be required to support FEMA's requirements.

4. DEES' review will include the impact on upstream properties of slowing flow velocities to zero as it enters the lake. In other words, DEES will need to determine the consequence of creating a lake where a free-flowing water course now exists. In addition, DEES' review will determine how the creation of a lake will guarantee (as the developer has submitted), that the current volume discharged through the culvert on Atlantic Boulevard will remain unchanged and examine the need for capacity analysis of the culvert on Atlantic Boulevard.

5. If at the time of technical review additional information aforementioned is deemed necessary to support the "No Rise Certification", a request for information will be made. If requested documentation is not submitted this application may be rejected on the grounds of increased risk of flooding to any or all of the following: upstream properties on the northern side of Margate Boulevard, properties adjacent to the project, and downstream properties south of the project.

6. As a CRS class 6 community the City has access to the FEMA Regional Office and may request an opinion from FEMA regarding the "No Rise" certification, prior to granting a final decision on this project.

Ref. # 26, Engineering, Randy Daniel, 5/31/23 12:15 PM, Cycle 1, Info Only

Comment:

Provide supporting documents for "No Rise Certification". Documentation shall be based on the standard step-backwater computer model used in developing the 100- year floodway shown on the FIRM.

Since it is uncertain that computer modelling will support the "No Rise" Certification, it is recommended that this exercise be performed prior to project design. At the latest, these documents shall be required and shall be necessary to obtain an Engineering Permit, which is a prerequisite for constructing the project.

Conditional DRC Approval shall be based on the applicant's willingness and unequivocal agreement to provide the aforementioned documents.

Reviewer Response: Randy Daniel - 9/19/23 2:57 PM

CONDITIONAL DRC APPROVAL IS GRANTED AND IS BASED ONLY ON THE APPLICANT'S CONCURRENCE TO PROVIDE COMPUTER MODELING THAT WILL DEMONSTRATE ZERO INCREASE IN FLOOD RISK FOR UPSTREAM, NEIGHBORING, AND DOWNSTREAM PROPERTIES AT LEAST 90 DAYS PRIOR TO APPLYING FOR A DEES ENGINEERING PERMIT.

Ref. # 27, Engineering, Randy Daniel, 6/2/23 9:42 AM, Cycle 1, Info Only

Comment:

Provide a conditional letter of map change (CLOMC) from FEMA for changes in the flood way boundaries.

Reviewer Response: Randy Daniel - 9/19/23 2:57 PM

CONDITIONAL APPROVAL IS RELUCTANTLY GRANTED AND IS BASED ONLY ON THE APPLICANT'S CONCURRENCE TO SUBMIT THE FEMA CLOMR THAT, AMONG OTHER THINGS, WILL DEMONSTRATE ZERO INCREASE IN FLOOD RISK TO UPSTREAM, NEIGHBORING, AND DOWNSTREAM PROPERTIES AT LEAST 90 DAYS PRIOR TO APPLYING FOR A DEES ENGINEERING PERMIT.

Responded by: Amanda Martinez - 8/11/23 10:12 AM

Response: Yes, a CLOMR analysis will be prepared and facilitated through FEMA's review for approval. Please note that there is no regulatory Floodway mapped per FEMA's current effective model and FIRM. However, the modifications to the existing conveyance ditch will be evaluated through the CLOMR process. The applicant agrees to provide the CLOMR approval prior to construction.

Ref. # 29, Engineering, Randy Daniel, 6/9/23 2:46 PM, Cycle 1, Info Only

Comment:

Clarify how proposed basin will accommodate existing and proposed peak flows for the entire catchment basin. Calculations shall illustrate how the selected dimensions of the proposed pond will accommodate peak flows.

If the applicant references the previously submitted Surface Water Calculations to satisfy this requirement, indicate exactly where in the calculations that the specific inquiry is addressed by clearly highlighting the associated verbiage in the Calculations.

Reviewer Response: Randy Daniel - 9/19/23 2:57 PM

CONDITIONAL APPROVAL IS RELUCTANTLY GRANTED AND IS BASED ONLY ON THE APPLICANT'S CONCURRENCE TO SUBMIT CALCULATIONS TO DEMONSTRATE ZERO INCREASE IN FLOOD RISK FOR UPSTREAM, NEIGHBORING, AND DOWNSTREAM PROPERTIES. THESE CALCULATIONS SHALL BE SUBMITTED AT LEAST 90 DAYS PRIOR TO APPLYING FOR A DEES ENGINEERING PERMIT.

Responded by: Amanda Martinez - 8/11/23 10:12 AM

Response: The Surface Water Calculations provided with this submittal shows the existing and proposed water surface area – see pages 5 & 11 of ADOC-Surface Water Calculations. A new plan (Sheet C-11) has been provided which clearly shows the existing water bodies have been enlarged. Additionally, the previous version of Sheet C-8 showed a typical lake section. This sheet has been revised to include 2 canal sections with more details, demonstrating the improvements. Therefore, there will be no reduction in the flow capacity through the project. The proper sloping of the lake and canal bank will benefit water quality and safety. Furthermore, the FEMA CLOMR analysis will evaluate the changes to the flow channel.

Ref. # 30, Engineering, Randy Daniel, 6/9/23 2:46 PM, Cycle 1, Info Only

Comment:

Provide calculations to show what is the impact of increasing the size of the "relatively small culvert that served as a golf cart and maintenance crossing" on the downstream flows through the culvert on Atlantic Boulevard.

The rationale for this requirement is as follows:

The discharge through the culvert on Atlantic Boulevard is influenced by the catch basins north of Margate Boulevard and east of the bridge on NW 76 Avenue. This "small" culvert currently accepts flow from the catch-basin north of Margate Boulevard and inherently acts as a bleed down device for flow to the Atlantic Boulevard culvert.

Reviewer Response: Randy Daniel - 9/19/23 2:57 PM

CONDITIONAL APPROVAL IS RELUCTANTLY GRANTED AND IS BASED ONLY ON THE APPLICANT'S CONCURRENCE TO SUBMIT CALCULATIONS THAT WILL DEMONSTRATE ZERO INCREASE IN RISK OF FLOODING FOR UPSTREAM, NEIGHBORING, AND DOWNSTREAM PROPERTIES, BY REMOVING THIS POTENTIAL BLEED DOWN DEVICE; CALCULATIONS SHALL BE SUBMITTED AT LEAST 90 DAYS PRIOR TO APPLYING FOR A DEES ENGINEERING PERMIT.

Responded by: Amanda Martinez - 8/11/23 10:12 AM

Response: The CLOMR analysis includes a comprehensive pre-project and post-project analysis and will include the evaluation of any changes in hydraulic conditions for the culvert on Atlantic Blvd.

Ref. # 37, Engineering, Randy Daniel, 6/16/23 4:09 PM, Cycle 1, Unresolved

Comment:

Provide an engineering analysis to illustrate that the existing pumps at LS # 24 possess sufficient capacity to handle peak flows based on current populations plus additional flow generated by the Springdale Development, and not create system surcharge.

Reviewer Response: Randy Daniel - 9/19/23 2:54 PM

RUNNING THE HYDRAULIC MODEL IS ONE OF TWO ACTIVITIES TO ASCERTAIN INFRASTRUCTURE CAPACITY. THE OTHER ACTIVITY IS ENGINEERING CALCULATIONS TO DETERMINE THE CAPACITY OF LIFT STATION # 24 TO HANDLE TOTAL PEAK FLOWS OF THE PROJECT IN ADDITION TO CURRENT FLOWS. TO BE CLEAR THE ENGINEER IS REQUIRED TO DEMONSTRATE THAT LIFT STATION #24 CAN KEEP SEWAGE DOWN TO THE BENCH DURING PEAK FLOWS. IN OTHER WORDS, THIS ASSESSMENT OUGHT TO DEMONSTRATE WHETHER THE GRAVITY SYSTEM WILL BE SURCHARGED OR NOT DURING THE PERIODS OF PEAK FLOW. THE HYDRAULIC MODEL DOES NOT ANALYZE NON-PRESSURIZED ELEMENTS OF THE SEWERAGE SYSTEM.

Responded by: Amanda Martinez - 8/11/23 10:13 AM

Response: The Springdale Townhomes Hydraulic Evaluation prepared by CHA, Inc. states "based upon previous emails between Broward County and SEC, Lift Station 24, the lift station immediately downstream of the development, has adequate capacity for the additional of the proposed development." In a subsequent discussion with Randy and Curt, we understand this comment to be satisfied.

Ref. # 38, Engineering, Randy Daniel, 6/16/23 4:10 PM, Cycle 1, Unresolved

Comment:

Comply with recommendations of the wastewater hydraulic model as follows:

Provide final design confirmation that the pumps at Lift Station# 24 possess adequate pumping capacity for new flow and head conditions imposed by the Springdale Development.

Reviewer Response: Randy Daniel - 9/19/23 2:53 PM

THE HYDRAULIC MODEL WAS NOT REQUIRED TO ANALYZE ANY PRIVATELY OWNED LIFT STATIONS. THE INTENT IS TO ANALYZE THE OPERATION OF LIFT STATION # 24 BASED ON THE PEAK FLOWS EMANATING FROM THE PROJECT. REFERENCE TO PRIVATELY OWNED LIFT STATIONS MUST BE DELETED. THE REQUIRED ANALYSIS FOR FLOW AND HEAD CONDITIONS WILL DEMONSTRATE WHETHER THE GRAVITY COLLECTION SYSTEM WILL OPERATE UNDER SURCHARGED CONDITIONS OR NOT. THE HYDRAULIC MODEL DOES NOT ANALYZE NON-PRESSURIZED ELEMENTS OF THE SEWERAGE SYSTEM.

Responded by: Amanda Martinez - 8/11/23 10:13 AM

Response: The Springdale Townhomes Hydraulic Evaluation prepared by CHA, Inc. recommendation is related to the proposed onsite lift station and not lift station 24. Proposed lift station information will be provided will the Final Engineering Plans.

Ref. # 39, Engineering, Randy Daniel, 6/16/23 4:10 PM, Cycle 1, Info Only

Comment:

A prerequisite for issuing a Certificate of Occupancy for the project shall be final approval from FEMA of the completed changes in the floodway boundaries and their final approval shall be documented in a FEMA letter of map change (LOMC).

Reviewer Response: Randy Daniel - 9/19/23 2:35 PM

A PREREQUISITE FOR THE LOMC (LOMR) IS THE CLOMC. THE CLOMC SHALL BE SUBMITTED AT LEAST

90 DAYS PRIOR TO APPLYING FOR AN ENGINEERING PERMIT.

Ref. # 43, Engineering, Randy Daniel, 6/21/23 8:55 AM, Cycle 1, Info Only

Comment: Provide calculations to illustrate that the existing culvert on Atlantic Boulevard has sufficient capacity to accommodate storm water generated from the development either because of increased impervious areas, or by replacing existing bottleneck created by the "culvert used for golf cart crossing" and which acts as a bleed down device, with a bridge.

Reviewer Response: Randy Daniel - 9/19/23 2:54 PM

CONDITIONAL APPROVAL IS RELUCTANTLY GRANTED AND IS ONLY BASED ON THE APPLICANT'S CONCURRENCE TO SUBMIT CALCULATIONS TO DEMONSTRATE ZERO INCREASE IN RISK OF FLOODING FOR UPSTREAM, NEIGHBORING, AND DOWNSTREAM PROPERTIES AT LEAST 90 DAYS PRIOR TO APPLYING FOR A DEES ENGINEERING PERMIT.

Responded by: Amanda Martinez - 8/11/23 10:14 AM

Response: The CLOMR analysis includes a pre-project and post-project analysis and will include the evaluation of any changes in hydraulic conditions per the removal of the small golf cart crossing culvert and will include the evaluation of any changes in hydraulic conditions for the culvert on Atlantic Blvd.

Ref. # 45, Engineering, Randy Daniel, 6/21/23 5:29 PM, Cycle 1, Info Only

Comment: As a CRS class 6 community the City has access to the FEMA Regional Office and may request an opinion from FEMA regarding the "No Rise" certification, prior to granting a final decision on this project.

Reviewer Response: Randy Daniel - 9/19/23 2:54 PM

ONCE THE CLOMR HAS BEEN SUBMITTED THE FLOOD PLAIN ADMINISTRATOR WILL LIAISE WITH FEMA TO UNDERSTAND THE INCREASED RISK OF FLOODING FOR UPSTREAM, NEIGHBORING, AND DOWNSTREAM PROPERTIES.

Ref. # 46, Engineering, Randy Daniel, 9/11/23 3:51 PM, Cycle 2, Info Only

Comment:

Conditional Approval is granted based only on the applicant's agreement to submit the required CLOMR, computer modelling, and engineering calculations, 90 days prior to applying for a DEES permit to construct the project; a DEES Engineering permit may be applied for when all documents and calculations associated with the "no rise certification" have been deemed complete and satisfactory.

Ref. # 32, Planning, Andrew Pinney, 6/15/23 5:27 PM, Cycle 1, Info Only

Comment: Several PUD related comments appear on the site plan application and/or LUPA application but are applicable to this application none the less.

Ref. # 41, Planning, Andrew Pinney, 6/19/23 10:58 AM, Cycle 1, Info Only

Comment: Staff finds the proposed architecture uninteresting and recommends enhancements. The first floor should apply architectural embellishments to make it feel heavier using solid materials, such as stone. The front facades should not have a prominent garage and vehicle presence, but rather emphasize entryways and porches. Eliminate front facing garages where possible. Where garages are facing front, set them back at least two feet further than the rest of the facade, and limit the width of the garage to not more than 40% of the width of a given townhouse unit. Provide larger windows at the street level to allow casual supervision of the street/sidewalk. Avoid inoperative shutters and add detailing around building openings. For this comment, the top of the building includes the roof, the roof overhang, upper floor loggias, cornices, and/or roof terraces and may include the entirety of the uppermost floor. The top is the culmination of the building and where its profile meets the sky, and therefore should be artistically considered and made to appear special in some way. Enhancements to the front facade should continue around to any other

facades with street frontages. Townhouse units facing the lake should have additional architectural features facing the water, such as but not limited to unenclosed balconies at usable depths and widths and variation of rooflines between each unit. An aesthetically pleasing concept and emphasis on the details of the design/architecture will be better received by all.

Ref. # 47, Planning, Andrew Pinney, 9/13/23 10:41 AM, Cycle 2, Info Only

Comment: Rezoning approval is contingent on LUPA approval.

Project Name: 23-00400014

Project Description: Springdale Townhomes

Ref. # 64, Building Group, Richard Nixon, 3/15/23 12:42 PM, Cycle 1, Info Only

Comment: Permit applications and a complete set of construction documents are required.

Ref. # 104, Building Group, ANDREW VALENTINO, 6/20/23 2:31 PM, Cycle 1, Info Only

Comment: Permit applications and a complete set of construction documents are required.

Ref. # 58, CRA, Christopher Gratz, 3/14/23 2:13 PM, Cycle 1, Info Only

Comment: This project is not within the CRA.

Ref. # 11, Coordinator, Andrew Pinney, 11/28/22 3:05 PM, Info Only

Markup: Change mark note #01, ADOC-Site Plan Narrative.pdf

Correspondence from local drainage district is required. Application is incomplete without it,

Coordinator Response: Andrew Pinney - 2/6/23 11:06 AM

DEES Director advised that we could accept the application without this letter.

Responded by: Amanda Martinez - 1/26/23 10:45 AM

The letter has been requested from the City's Engineering Division. It will be provided upon receipt.

Ref. # 13, Coordinator, Andrew Pinney, 11/28/22 3:07 PM, Info Only

Markup: Change mark note #03, ADOC-Site Plan Narrative.pdf

Correspondence from potable water supplier is required. Application is incomplete without it,

Coordinator Response: Andrew Pinney - 2/6/23 11:07 AM

DEES Director advised that we could accept the application without this letter.

Responded by: Amanda Martinez - 1/26/23 10:45 AM

The letter has been requested from the City's Engineering Division. It will be provided upon receipt.

Ref. # 14, Coordinator, Andrew Pinney, 11/28/22 3:07 PM, Info Only

Markup: Change mark note #04, ADOC-Site Plan Narrative.pdf

Correspondence from sanitary sewer provider is required. Application is incomplete without it,

Coordinator Response: Andrew Pinney - 2/6/23 11:07 AM

DEES Director advised that we could accept the application without this letter.

Responded by: Amanda Martinez - 1/26/23 10:45 AM

The letter has been requested from the City's Engineering Division. It will be provided upon receipt.

Ref. # 67, Engineering, Randy Daniel, 3/27/23 12:29 PM, Cycle 1, Info Only

Comment:

1 a. The Traffic Impact Study shall include but not be limited to Margate Boulevard/NW 66th Avenue, Margate Boulevard/Rock Island Road, and Atlantic Boulevard/ NW 66th Avenue. All intersections within a one-mile radius of the site perimeter shall be considered.

b. Provide computer generated models to illustrate turning radii requirements for fire trucks, garbage collection vehicles, and any other service vehicles that will be required to traverse the development.

2. Surface Water Calculations shall include an analysis of the proposed realigned flowage easement that runs through the property. In other words, the Engineer is required to conduct an analysis of flows in the open channel to illustrate:

a. The realigned open channel will continue to adequately convey flows from upstream properties, north of Margate Boulevard, without creating flooding at the upstream properties.

b. The realigned open channel will have the capacity to accept additional runoff produced by the 137-unit project, and not create flooding conditions for the new project nor the upstream and downstream communities.

3. Provide Flood Routing for the realigned flowage easement.

Responded by: Amanda Martinez - 5/16/23 10:25 AM

1a. *The Traffic Impact Study shall include but not be limited to Margate Boulevard/NW 66th Avenue, Margate Boulevard/Rock Island Road, and Atlantic Boulevard/ NW 66th Avenue. All intersections within a one-mile radius of the site perimeter shall be considered. Response: The updated traffic study dated May 2023 includes new traffic counts and analyses of the intersections of NW 66th Avenue/Margate Boulevard, and NW 66th Avenue/Atlantic Boulevard. The intersection of Margate Boulevard and Rock Island Road is also included in the updated traffic study. Additionally, and as discuss during a DRC meeting held on April 26, 2023, new traffic counts were collected for the intersection of Royal Palm Boulevard and Rock Island Road since the original traffic study collected counts during road construction near this intersection. The analyses were updated based on the new traffic counts for the intersection of Royal Palm Boulevard and Rock Island Road (refer to May 2023 traffic study).* 1b. *Provide computer generated models to illustrate turning radii requirements for fire trucks, garbage collection vehicles, and any other service vehicles that will be required to traverse the development. Response: See sheets SP-2 – SP-4 for the fire truck turning movements. The exact fire truck provided by the City was not available in the Auto Turn program, so we utilized a fire truck with a slightly longer wheelbase and length that is available.* 2. *Surface Water Calculations shall include an analysis of the proposed realigned flowage easement that runs through the property. In other words, the Engineer is required to conduct an analysis of flows in the open channel to illustrate: a. The realigned open channel will continue to adequately convey flows from upstream properties, north of Margate Boulevard, without creating flooding at the upstream properties. Response: The conveyance channel will be widened compared to the what exists today.* b. *The realigned open channel will have the capacity to accept additional runoff produced by the 137-unit project, and not create flooding conditions for the new project nor the upstream and downstream communities. Response: Please see previously submitted signed and sealed drainage calculations. The calculations include a pre versus post development storage analysis which accounts for both the increase in impervious area and lake area. The post development storm stages are lower than the predevelopment storm stages. Lakes and canals are being widened with properly sloped banks which will allow for a better flow through the property. The project has a net surface water management benefit. The summary of pre and post development storm stages are shown on the 3rd page of the surface water management calculations.* 3. *Provide Flood Routing for the realigned flowage easement. Response: Please see previously submitted signed and sealed drainage calculations. The calculations include a pre versus post development storage analysis which accounts for both the increase in impervious area and lake area. The post development storm stages are lower than the predevelopment storm stages. Lakes and canals are being widened with properly sloped banks which will allow for a better flow through the property. The project has a net surface water management benefit. The summary of pre and post development storm stages are shown on the 3rd page of the document.*

Responded by: Amanda Martinez - 4/7/23 11:03 AM

1. a. *The Traffic Impact Study shall include but not be limited to Margate Boulevard/NW 66th Avenue, Margate Boulevard/Rock Island Road, and Atlantic Boulevard/ NW 66th Avenue. All intersections within a one-mile radius of the site perimeter shall be considered. Response: The common practice when selecting intersections to be studied within a certain radius includes major signalized intersections and intersections where project trips will be executing turns. As shown in Figure 4 of the traffic study, project trips are not anticipated to make turns at Margate Boulevard/NW 66th Avenue and Atlantic Boulevard/NW 66th Avenue. These two intersections are*

not considered major intersections either. b. Provide computer generated models to illustrate turning radii requirements for fire trucks, garbage collection vehicles, and any other service vehicles that will be required to traverse the development. Response: See sheets SP-2 – SP-4 for the fire truck turning movements. The exact fire truck provided by the City was not available in the Auto Turn program, so we utilized a fire truck with a slightly longer wheelbase and length that is available. 2.

Surface Water Calculations shall include an analysis of the proposed realigned flowage easement that runs through the property. In other words, the Engineer is required to conduct an analysis of flows in the open channel to illustrate: a. The realigned open channel will continue to adequately convey flows from upstream properties, north of Margate Boulevard, without creating flooding at the upstream properties. Response: The conveyance channel will be widened compared to the what exists today. b. The realigned open channel will have the capacity to accept additional runoff produced by the 137-unit project, and not create flooding conditions for the new project nor the upstream and downstream communities. Response: Please see attached previously submitted signed and sealed drainage calculations. The calculations include a pre versus post development storage analysis which accounts for both the increase in impervious area and lake area. The post development storm stages are lower than the predevelopment storm stages. Lakes and canals are being widened with properly sloped banks which will allow for a better flow through the property. The project has a net surface water management benefit. The summary of pre and post development storm stages are shown on the 3rd page of the surface water management calculations. 3. Provide Flood Routing for the realigned flowage easement. Response: Please see attached previously submitted signed and sealed drainage calculations. The calculations include a pre versus post development storage analysis which accounts for both the increase in impervious area and lake area. The post development storm stages are lower than the predevelopment storm stages. Lakes and canals are being widened with properly sloped banks which will allow for a better flow through the property. The project has a net surface water management benefit. The summary of pre and post development storm stages are shown on the 3rd page of the document.

Ref. # 68, Engineering, Randy Daniel, 3/28/23 8:43 AM, Cycle 1, Info Only

Comment: The 12" Water main that will service the project is made of Asbestos Concrete and was installed in 1972. There may be a need to replace this pipe in part or in its entirety to guarantee a reliable potable water supply to the new 137 units.

Ref. # 69, Engineering, Randy Daniel, 4/17/23 10:32 AM, Cycle 2, Info Only

Comment: Previous comments have not been addressed; hydraulic analyses are required to certify open channel flow through the realigned flowage easement will NOT impact upstream nor downstream communities.

Responded by: Amanda Martinez - 5/16/23 10:32 AM

See detailed responses regarding the analyses in the Rezoning comment responses.

Ref. # 71, Engineering, Randy Daniel, 5/18/23 4:29 PM, Cycle 3, Info Only

Comment: Review comments regarding storm water, no rise certification, and FEMA requirements moved to application #s 23-00400012 & 23-00400013.

Ref. # 85, Engineering, Randy Daniel, 6/16/23 4:13 PM, Cycle 1, Info Only

Comment:

Provide supporting documents for "No Rise Certification". Documentation shall be based on the standard step-backwater computer model used in developing the 100- year floodway shown on the FIRM.

Since it is uncertain that computer modelling will support the "No Rise" Certification, it is recommended that this exercise be performed prior to project design. At the latest, these documents shall be required and shall be necessary to obtain an Engineering Permit, which is a

prerequisite for constructing the project.

Conditional DRC Approval shall be based on the applicant's willingness and unequivocal agreement to provide the aforementioned documents.

Reviewer Response: Randy Daniel - 9/19/23 3:33 PM

CONDITIONAL APPROVAL IS RELUCTANTLY GRANTED AND IS ONLY BASED ON THE APPLICANT'S CONCURRENCE TO PROVIDE COMPUTER MODELING TO DEMONSTRATE ZERO INCREASE IN RISK OF FLOODING FOR UPSTREAM, NEIGHBORING, AND DOWNSTREAM PROPERTIES; MODELLING SHALL BE SUBMITTED AT LEAST 90 DAYS PRIOR TO APPLYING FOR A DEES ENGINEERING PERMIT.

Ref. # 86, Engineering, Randy Daniel, 6/16/23 4:14 PM, Cycle 1, Info Only

Comment:

Provide a conditional letter of map change (CLOMC) from FEMA for changes in the flood way boundaries.

Reviewer Response: Randy Daniel - 9/19/23 3:33 PM

CONDITIONAL APPROVAL IS RELUCTANTLY GRANTED AND IS ONLY BASED ON THE APPLICANT'S CONCURRENCE TO SUBMIT THE CLOMR AT LEAST 90 DAYS PRIOR TO APPLYING FOR A DEES ENGINEERING PERMIT.

Responded by: Amanda Martinez - 8/11/23 10:21 AM

Response: A CLOMR analysis will be prepared and facilitated through FEMA's review for approval. Please note that there is no regulatory Floodway mapped per FEMA's current effective model and FIRM. However, the modifications to the existing conveyance ditch will be evaluated through the CLOMR process. The applicant agrees to provide the CLOMR approval prior to construction.

Ref. # 87, Engineering, Randy Daniel, 6/16/23 4:14 PM, Cycle 1, Resolved

Comment: Clarify if bleed down devices will be used in conjunction with the new pond/lake. Provide details of bleed down devices and their location, if they will be utilized.

Responded by: Amanda Martinez - 8/11/23 10:21 AM

Response: As discussed, there is no control structure and no-bleed down device. The revised surface water management calculations with the bleed down reference removed has been provided with this submittal (See page 6 of ADOC-Surface Water Calculations).

Ref. # 88, Engineering, Randy Daniel, 6/16/23 4:15 PM, Cycle 1, Resolved

Comment:

Clarify how proposed basin will accommodate existing and proposed peak flows for the entire catchment basin. Calculations shall illustrate how the selected dimensions of the proposed pond will accommodate peak flows.

If the applicant references the previously submitted Surface Water Calculations to satisfy this requirement, indicate exactly where in the calculations that the specific inquiry is addressed by clearly highlighting the associated verbiage in the Calculations.

Responded by: Amanda Martinez - 8/11/23 10:22 AM

Response: The Surface Water Calculations provided with this submittal shows the existing and proposed water surface area – see pages 5 & 11 of ADOC-Surface Water Calculations. A new plan (Sheet C-11) has been provided which clearly shows the existing water bodies have been enlarged. Additionally, the previous version of Sheet C-8 showed a typical lake section. This sheet has been revised to include 2 canal sections with more details, demonstrating the improvements. Therefore, there will be no reduction in the flow capacity through the project. The proper sloping of the lake and canal bank will benefit water quality and safety. Furthermore, the FEMA CLOMR analysis will

evaluate the changes to the flow channel.

Ref. # 89, Engineering, Randy Daniel, 6/16/23 4:16 PM, Cycle 1, Info Only

Comment:

Provide calculations to show what is the impact of increasing the size of the "relatively small culvert that served as a golf cart and maintenance crossing" on the downstream flows through the culvert on Atlantic Boulevard.

The rationale for this requirement is as follows:

The discharge through the culvert on Atlantic Boulevard is influenced by the catch basins north of Margate Boulevard and east of the bridge on NW 76 Avenue. This "small" culvert currently accepts flow from the catch-basin north of Margate Boulevard and inherently acts as a bleed down device for flow to the Atlantic Boulevard culvert.

Reviewer Response: Randy Daniel - 9/19/23 3:34 PM

CONDITIONAL APPROVAL IS RELUCTANTLY GRANTED ONLY BASED ON THE APPLICANT'S CONCURRENCE TO SUBMIT ENGINEERING CALCULATIONS TO DEMONSTRATE THAT REMOVAL OF THE FLOW RESTRICTION (RELATIVELY SMALL CULVERT) WILL NOT ADVERSELY AFFECT THE DOWNSTREAM CULVERT ON ATLANTIC BOULEVARD. CALCULATIONS SHALL BE SUBMITTED AT LEAST 90 DAYS PRIOR TO APPLYING FOR A DEES ENGINEERING PERMIT.

Responded by: Amanda Martinez - 8/11/23 10:22 AM

Response: The CLOMR analysis includes a comprehensive pre-project and post-project analysis and will include the evaluation of any changes in hydraulic conditions for the culvert on Atlantic Blvd. The CLOMR analysis includes a comprehensive pre-project and post-project analysis and will include the evaluation of any changes in hydraulic conditions for the culvert on Atlantic Blvd.

Ref. # 90, Engineering, Randy Daniel, 6/16/23 4:16 PM, Cycle 1, Info Only

Comment:

A prerequisite for issuing a Certificate of Occupancy for the project shall be final approval from FEMA of the completed changes in the floodway boundaries and their final approval shall be documented in a FEMA letter of map change (LOMC).

Reviewer Response: Randy Daniel - 9/19/23 3:34 PM

CONDITIONAL APPROVAL IS RELUCTANTLY GRANTED AND IS BASED ONLY ON THE APPLICANT'S CONCURRENCE TO SUBMIT THE FEMA CLOMR THAT WILL AMONG OTHER THINGS, DEMONSTRATE ZERO INCREASED FLOOD RISK TO UPSTREAM, NEIGHBORING, AND DOWNSTREAM PROPERTIES; CLOMR SHALL BE SUBMITTED AT LEAST 90 DAYS PRIOR TO APPLYING FOR A DEES ENGINEERING PERMIT.

Ref. # 93, Engineering, Randy Daniel, 6/16/23 4:20 PM, Cycle 1, Unresolved

Comment:

Comply with recommendations of the wastewater hydraulic model as follows:

Provide final design confirmation that the pumps at Lift Station# 24 possess adequate pumping capacity for new flow and head conditions imposed by the Springdale Development.

Reviewer Response: Randy Daniel - 9/19/23 3:34 PM

THE HYDRAULIC MODEL WAS NOT REQUIRED TO ANALYZE PRIVATELY OWNED AND OPERATED SEWERAGE LIFT STATIONS. PLEASE REMOVE ANY REFERENCE TO PRIVATELY OWNED LIFT STATIONS AND MODIFY YOUR RESPONSE. THE REQUIRED ANALYSIS FOR FLOW AND HEAD CONDITIONS WILL DEMONSTRATE WHETHER THE GRAVITY COLLECTION SYSTEM WILL OPERATE UNDER SURCHARGED CONDITIONS OR NOT. THE HYDRAULIC MODEL CANNOT ANALYZE NON-PRESSURED ELEMENTS OF THE SEWERAGE SYSTEM.

Responded by: Amanda Martinez - 8/11/23 10:22 AM

Response: The Springdale Townhomes Hydraulic Evaluation prepared by CHA, Inc. recommendation is related to the proposed onsite lift station and not lift station 24. Proposed onsite private lift station information will be provided on the Final Engineering Plans.

Ref. # 94, Engineering, Randy Daniel, 6/16/23 4:21 PM, Cycle 1, Unresolved

Comment:

Provide an engineering analysis to illustrate that the existing pumps at LS # 24 possess sufficient capacity to handle peak flows based on current populations plus additional flow generated by the Springdale Development, and not create system surcharge.

Reviewer Response: Randy Daniel - 9/19/23 3:34 PM

THERE ARE TWO COMPONENTS OF THE ENGINEERING ANALYSIS THAT ARE REQUIRED. THE FIRST WAS THE HYDRAULIC MODEL WHICH INVESTIGATED THE CAPACITY OF THE PRESSURIZED PIPES TO CONVEY THE PROJECT'S PEAK DEMAND. THE SECOND IS THE EVALUATION OF THE NON-PRESSURIZED COMPONENTS OF THE SEWERAGE COLLECTION AND TRANSMISSION SYSTEM. THE CAPACITY OF LIFT STATION # 24 TO HANDLE TOTAL PEAK FLOWS OF THE PROJECT IN ADDITION TO EXISTING FLOWS MUST BE ASSESSED. TO BE CLEAR THE ENGINEER IS REQUIRED TO DEMONSTRATE THAT LIFT STATION #24 CAN KEEP SEWAGE DOWN TO THE BENCH. IN OTHER WORDS, THIS ASSESSMENT OUGHT TO DEMONSTRATE WHETHER THE GRAVITY SYSTEM WILL BE SURCHARGED OR NOT DURING THE PERIODS OF PEAK FLOW. BROWARD COUNTY IS ONLY CONCERNED WITH NAPOT BUT THIS PARAMETER IS IRRELEVANT TO THE LIFT STATION'S ABILITY TO PUMP SEWAGE DOWN TO THE BENCH DURING PEAK FLOWS.

Responded by: Amanda Martinez - 8/11/23 10:23 AM

Response: The Springdale Townhomes Hydraulic Evaluation prepared by CHA, Inc. states "based upon previous emails between Broward County and SEC, Lift Station 24, the lift station immediately downstream of the development, has adequate capacity for the additional of the proposed development." In a subsequent discussion with Randy and Curt, we understand this comment to be satisfied.

Ref. # 95, Engineering, Randy Daniel, 6/16/23 4:21 PM, Cycle 1, Info Only

Comment:

A prerequisite for issuing a Certificate of Occupancy for the project shall be final approval from FEMA of the completed changes in the floodway boundaries and their final approval shall be documented in a FEMA letter of map change (LOMC).

Reviewer Response: Randy Daniel - 9/19/23 3:35 PM

THE FLOOD PLAIN MANAGER MAY COORDINATE WITH FEMA TO DETERMINE THE INCREASED RISK OF FLOODING TO UPSTREAM, NEIGHBORING, AND DOWNSTREAM PROPERTIES.

Ref. # 110, Engineering, Randy Daniel, 6/21/23 9:35 AM, Cycle 1, Info Only

Comment: Provide calculations and analysis to illustrate that the existing culvert on Atlantic Boulevard has sufficient capacity to accommodate storm water generated from the development either because of increased impervious areas, or by replacing existing bottleneck with a bridge. The existing bottleneck is created by the "culvert used for golf cart crossing" and which acts as a bleed down device.

Reviewer Response: Randy Daniel - 9/19/23 3:35 PM

CONDITIONAL APPROVAL IS RELUCTANTLY GRANTED ONLY BASED ON THE APPLICANT'S CONCURRENCE TO SUBMIT ENGINEERING CALCULATIONS THAT WILL DEMONSTRATE THAT THE EXISTING CULVERT ON ATLANTIC BOULEVARD HAS SUFFICIENT CAPACITY TO DISCHARGE ADDITIONAL FLOWS GENERATED BY THE PROJECT. CALCULATIONS SHALL BE SUBMITTED 90 DAYS PRIOR TO APPLYING FOR A DEES ENGINEERING PERMIT.

Responded by: Amanda Martinez - 8/11/23 10:23 AM

Response: The CLOMR analysis includes a pre-project and post-project analysis and will include the evaluation of any changes in hydraulic conditions per the removal of the small golf cart crossing culvert and will include the evaluation of any changes in hydraulic conditions for the culvert on Atlantic Blvd.

Ref. # 115, Engineering, Randy Daniel, 9/12/23 3:46 PM, Cycle 2, Info Only

Comment:

Conditional Approval is granted based only on the applicant's agreement to comply with all requirements listed as information only and submit same no less than 90 days prior to applying for a DEES Engineering permit. To be clear the CLOMR, computer modelling and calculations in support of "no rise certification", and other required storm-water calculations shall be submitted a minimum of 90 days prior to applying for a DEES permit. When these documents are deemed to be complete, and can satisfactorily establish "no rise certification", a DEES Engineering permit application may commence.

In addition, upon submission of the aforementioned documents, DEES' reserves the right to request additional documents and or calculations to support the goal of illustrating zero increased risk of flooding to upstream, neighborhood, and downstream properties.

Ref. # 73, Planning, Andrew Pinney, 6/15/23 2:24 PM, Cycle 1, Unresolved

Markup: Change mark note #01, SP-02.PDF

Either cite the verbiage in Sec. 19.11 (MZC) that allows this area to credit the open space requirement or remove it from the tabulation.

Reviewer Response: Andrew Pinney - 9/19/23 8:40 AM

SECOND REQUEST: Please note the critical verbiage in the definition of 'open space' is, "may be considered as required open spaces to the extent of the limitations contained herein at Section 19.11, "Open Space Requirement and Computation."

Responded by: Amanda Martinez - 8/11/23 10:24 AM

Response: A new sheet, Open Space Exhibit (Sheet SP-06) has been provided with this submittal. This plan shows all the areas included in the calculations in green. The definition of Open Space listed in Section 19.3 of the City Code permits this section to be counted towards the open space. Specifically, the definition of Open Space is as follows: "Open space: A generally unobstructed parcel or area of land permanently dedicated or reserved for the use and enjoyment of owners and occupants of the land within the PUD. Required open space shall be of a pervious nature and shall not be used for private roadways open to vehicular circulation; off-street parking or loading berths, lakes, canals, and other features may be considered as required open spaces to the extent of the limitations contained herein at Section 19.11, "Open Space Requirement and Computation." As this area is a generally unobstructed area of land permanently dedicated for the use of and enjoyment of the owners within the PUD, it meets the definition of Open Space and can therefore be counted towards meeting the open space requirements. More importantly, the PUD provides substantially more open space than required by Code.

Ref. # 74, Planning, Andrew Pinney, 6/15/23 2:36 PM, Cycle 1, Unresolved

Markup: Change mark note #01, SP-01.PDF

Either cite the verbiage in Sec. 19.11 (MZC) that allows this area to credit the open space requirement or remove it from the tabulation.

Reviewer Response: Andrew Pinney - 9/19/23 8:40 AM

SECOND REQUEST: Please note the critical verbiage in the definition of 'open space' is, "may be considered as required open spaces to the extent of the limitations contained herein at Section 19.11, "Open Space Requirement and Computation."

Responded by: Amanda Martinez - 8/11/23 10:24 AM

Response: A new sheet, Open Space Diagram (Sheet SP-06) has been provided with this submittal.

This plan shows all the areas included in the calculations in green. The definition of Open Space listed in Section 19.3 of the City Code permits this section to be counted towards the open space. Specifically, the definition of Open Space is as follows: "Open space: A generally unobstructed parcel or area of land permanently dedicated or reserved for the use and enjoyment of owners and occupants of the land within the PUD. Required open space shall be of a pervious nature and shall not be used for private roadways open to vehicular circulation; off-street parking or loading berths, lakes, canals, and other features may be considered as required open spaces to the extent of the limitations contained herein at Section 19.11, "Open Space Requirement and Computation." As this area is a generally unobstructed area of land permanently dedicated for the use of and enjoyment of the owners within the PUD, it meets the definition of Open Space and can therefore be counted towards meeting the open space requirements. More importantly, the PUD provides substantially more open space than required by Code.

Ref. # 77, Planning, Andrew Pinney, 6/15/23 3:30 PM, Cycle 1, Unresolved

Markup: Change mark note #01, SP-04.PDF

Either cite the verbiage in Sec. 19.11 (MZC) that allows this area to credit the open space requirement or remove it from the tabulation.

Reviewer Response: Andrew Pinney - 9/19/23 8:40 AM

SECOND REQUEST: Please note the critical verbiage in the definition of 'open space' is, "may be considered as required open spaces to the extent of the limitations contained herein at Section 19.11, "Open Space Requirement and Computation."

Responded by: Amanda Martinez - 8/11/23 10:24 AM

Response: A new sheet, Open Space Diagram (Sheet SP-06) has been provided with this submittal.

This plan shows all the areas included in the calculations in green. The definition of Open Space listed in Section 19.3 of the City Code permits this section to be counted towards the open space.

Specifically, the definition of Open Space is as follows: "Open space: A generally unobstructed parcel or area of land permanently dedicated or reserved for the use and enjoyment of owners and occupants of the land within the PUD. Required open space shall be of a pervious nature and shall not be used for private roadways open to vehicular circulation; off-street parking or loading berths, lakes, canals, and other features may be considered as required open spaces to the extent of the limitations contained herein at Section 19.11, "Open Space Requirement and Computation." As this area is a generally unobstructed area of land permanently dedicated for the use of and enjoyment of the owners within the PUD, it meets the definition of Open Space and can therefore be counted towards meeting the open space requirements. More importantly, the PUD provides substantially more open space than required by Code.

Ref. # 78, Planning, Andrew Pinney, 6/15/23 3:30 PM, Cycle 1, Unresolved

Markup: Change mark note #02, SP-04.PDF

Either cite the verbiage in Sec. 19.11 (MZC) that allows this area to credit the open space requirement or remove it from the tabulation.

Reviewer Response: Andrew Pinney - 9/19/23 8:41 AM

SECOND REQUEST: Please note the critical verbiage in the definition of 'open space' is, "may be considered as required open spaces to the extent of the limitations contained herein at Section 19.11, "Open Space Requirement and Computation."

Responded by: Amanda Martinez - 8/11/23 10:25 AM

Response: A new sheet, Open Space Diagram (Sheet SP-06) has been provided with this submittal.

This plan shows all the areas included in the calculations in green. The definition of Open Space listed in Section 19.3 of the City Code permits this section to be counted towards the open space.

Specifically, the definition of Open Space is as follows: "Open space: A generally unobstructed parcel or area of land permanently dedicated or reserved for the use and enjoyment of owners and occupants of the land within the PUD. Required open space shall be of a pervious nature and shall

not be used for private roadways open to vehicular circulation; off-street parking or loading berths, lakes, canals, and other features may be considered as required open spaces to the extent of the limitations contained herein at Section 19.11, "Open Space Requirement and Computation." As this area is a generally unobstructed area of land permanently dedicated for the use of and enjoyment of the owners within the PUD, it meets the definition of Open Space and can therefore be counted towards meeting the open space requirements. More importantly, the PUD provides substantially more open space than required by Code.

Ref. # 107, Planning, Andrew Pinney, 6/20/23 2:54 PM, Cycle 1, Unresolved

Markup: Change mark note #03, SP-01.PDF

Curvilinear streets are recommended for residential minor and collector streets in order to discourage excessive vehicular speeds and to provide attractive vistas, per Sec. 31-19 (CCM).

Responded by: Amanda Martinez - 8/11/23 3:23 PM

Response: The entrance road south of Margate Boulevard is curved, a 25-mph speed limit sign is shown just past the entrance, and the remainder of the streets are relatively short. See sheet C-5 for the speed limit sign.

Ref. # 116, Planning, Andrew Pinney, 9/13/23 12:29 PM, Cycle 2, Unresolved

Markup: Change mark note #01, SP-05.PDF

Delineate elevation.

Ref. # 117, Planning, Andrew Pinney, 9/13/23 2:53 PM, Cycle 2, Unresolved

Markup: Change mark note #01, SP-03.PDF

All landscaped areas shall be protected from vehicular encroachment by curbing or other durable barriers, per Section 23-5(B)(1) of the Code of the City of Margate. Ensure that curbing is provided along all sides of landscape islands that would otherwise be accessible to vehicles.

Ref. # 118, Planning, Andrew Pinney, 9/19/23 8:22 AM, Cycle 2, Unresolved

Markup: Change mark note #01, SP-06.pdf

Revise gross acreage of 'residential lot' to only include fenced in portions of yards, per Sec. 19.11 (MZC).

Ref. # 119, Planning, Andrew Pinney, 9/19/23 8:22 AM, Cycle 2, Unresolved

Markup: Change mark note #02, SP-06.pdf

Tabulation of 'other open space' includes a number of areas not specifically described in Section 19.11 (MZC). Revise.

Ref. # 120, Planning, Andrew Pinney, 9/19/23 8:22 AM, Cycle 2, Unresolved

Markup: Change mark note #05, SP-06.pdf

'Public park' has the same credit value as 'recreation'. See Sec. 19.11 (MZC). Revise tabulation.

Ref. # 59, Public Works, Gio Batista, 3/14/23 4:36 PM, Cycle 1, Info Only

Comment: Civil drawings should depict an accessway (i.e., ingress and egress) for the City to be able to maintain any and all portions of the existing canal system.

Ref. # 60, Public Works, Gio Batista, 3/14/23 4:38 PM, Cycle 1, Info Only

Comment: Developer shall review City of Margate Resolution 7791 to ensure that there is no conflict with the plans submitted and the content of the resolution and the attachments within the resolution (inclusive of ORB BK23705 PG 0539).

Ref. # 61, Public Works, Gio Batista, 3/14/23 4:41 PM, Cycle 1, Info Only

Comment: Sheet C5 - developer shall ensure that the plans contain sufficient information to convey the notation that the contract shall verify the existing under road lines are not obstructed and clean. Flowage shall in no way be hindered.

Ref. # 62, Public Works, Gio Batista, 3/14/23 4:43 PM, Cycle 1, Info Only

Comment: Any sidewalks on the drawings that will be driven over during maintenance maneuvers by the City shall be designed at 6" thick.

Ref. # 63, Public Works, Gio Batista, 3/14/23 4:47 PM, Cycle 1, Info Only

Comment: Drainage calculations and a sealed report from a Florida State Engineer shall be provided demonstrating that the flows from the developed area can be handled by and that the capacity of existing canal system can handle the added flows at an acceptable flow rate determined by standard engineering principals and standards. In addition, the added flow will not impact upstream or downstream developments.

Ref. # 112, Public Works, Gio Batista, 8/18/23 12:36 PM, Cycle 2, Unresolved

Comment: Civil Drawings (TYPICAL) - All drain inlets, structures and lines shall be marked on the design drawings as: "PRIVATE STORM DRAIN"

Ref. # 113, Public Works, Gio Batista, 8/18/23 12:42 PM, Cycle 2, Unresolved

Comment: Contractor shall clean and provide a CCTV of the condition of the existing 48" lines for determination of need and City's approval.

Ref. # 114, Public Works, Gio Batista, 8/18/23 1:09 PM, Cycle 2, Unresolved

Comment: See additional comments on drawings.

Ref. # 121, Public Works, Gio Batista, 9/19/23 11:08 AM, Cycle 2, Unresolved

Comment: The developer will need to address the need to harden the canal embankments for that portion of the canal that is to remain under the City's jurisdiction, and which are in close proximity to proposed structures. The proposed buildings seem to be close to the embankments and without special consideration of existing soils and the impact that the rise and fall of water levels have on soils, it is necessary for the engineer and Geotech to develop a plan for hardening. Currently there are embankment locations that seem to be primarily sandy soils.

Exhibit B

DRC Meeting Minutes – September 26, 2023



**REGULAR MEETING OF
THE DEVELOPMENT REVIEW COMMITTEE
HYBRID MEETING
<https://us02web.zoom.us/j/83930506913>
MINUTES**

**Tuesday, September 26, 2023
10:00 a.m.
City of Margate
City Commission Chambers**

PRESENT:

Elizabeth Taschereau, Director of Development Services
Andrew Pinney, AICP, Senior Planner
Christopher Gratz, AICP, Senior Planner
Randy Daniel, DEES Assistant Director
Richard Nixon, Building Department Director
Giovanni Batista, Public Works Director
David Scholl, Fire Marshall
Sergeant Mary Crabtree, Police Department

ALSO PRESENT:

Matthew H. Scott, Esq., Dunay, Miskel & Backman, LLP
Jeff Schnars, Civil Engineer, Schnars Engineering

The regular meeting of the Margate Development Review Committee (DRC) having been properly noticed, was called to order at 10:06 a.m. on Tuesday, September 26, 2023, at the City of Margate Commission Chambers, 5790 Margate Boulevard, Margate, FL 33063.

NEW BUSINESS

- A) *ID2023-283*
DRC NO. 23-400012 RECONSIDERATION OF A LAND USE PLAN AMENDMENT TO REDEVELOP THE 21.3-ACRE MARGATE EXECUTIVE GOLF COURSE INTO A 137-UNIT TOWNHOUSE DEVELOPMENT.
LOCATION: 7870 MARGATE BOULEVARD
ZONING: S-1 RECREATIONAL DISTRICT AND R-3A MULTIPLE DWELLING DISTRICT
LEGAL DESCRIPTION: PARCEL 3, "ORIOLE GOLF AND TENNIS CLUB SECTION TWO," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 78, PAGE 21, OF THE PUBLIC RECORDS

City Commission

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

City Manager

Cale Curtis

Interim City Attorney

Weiss Serota Helfman
Cole & Bierman

City Clerk

Jennifer M. Johnson, MMC

Development Services Department

901 NW 66th Avenue, Suite C, Margate, FL 33063 • Phone: (954) 979-6213

www.margatefl.com • dsd@margatefl.com

OF BROWARD COUNTY, FLORIDA TOGETHER WITH A PORTION OF PARCEL 4 OF SAID PLAT, "ORIOLE GOLF AND TENNIS CLUB SECTION TWO," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 78, PAGE 21, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PETITIONER: MATTHEW H. SCOTT, ESQ., AGENT FOR MICHAEL FIMIANI, FIMIANI DEVELOPMENT CORPORATION.

Andrew Pinney, Senior Planner, introduced the item and explained the process to be followed. He explained this was a resubmittal, with the first review having taken place on June 28, 2023, and stated staff comments were delivered to the applicant and were attached to the agenda online for reference. He invited any additional comments or corrections from staff.

Mr. Pinney advised that he had a minor correction for consistency. He noted in the land use narrative, there was discussion of dedicating a 1.21-acre park for public use, but in the site plan it was shown as 1.14 acres. He stated he was unclear whether the difference was that it was misrepresented, that it was net acreage versus gross, or some other discrepancy, but the applications needed to be made consistent. Mr. Pinney asked whether the applicant had questions or needed clarification regarding the comments.

Matthew H. Scott, Esq., Dunay, Miskel & Backman, LLP, Agent for Michael Fimiani, Fimiani Development Corporation, thanked the Committee for the detailed comments and began a brief review of the comments. He referenced the engineering comments on page two (2) of the document, references two (2), three (3), four (4) and nine (9). Attorney Scott stated typically capacity letters are obtained from the City as a pre-condition of submitting a land use plan amendment (LUPA). He explained that in this case, the City had stated they would not require the letters with the application, but as part of the DRC process. He asked whether the applicant should be anticipating receipt of those capacity letters at this stage in the process.

Mr. Pinney explained the capacity letters are issued by the Department of Environmental and Engineering Services (DEES), and deferred to Randy Daniel, DEES Assistant Director for further clarification.

Mr. Daniel stated the letters strictly respond to the City's ability to treat sewage once it gets to the plant, and ability to deliver potable water to the new community. He noted they would be willing to issue those letters. Continuing, Mr. Daniel explained there is a third letter that he understands also needs to be issued in relation to the drainage service level, which may be more complicated and would require further discussion. He stated the capacity letters should not be a problem to issue.

Attorney Scott noted the applicant had been making progress in addressing the DRC issues, so he thought now would be a good time to bring up the letters to make sure the issue was covered, as they would need the letters if and when they move on to the Broward County process.

Attorney Scott continued his review of the comments, pointing to DEES reference 34. He read Mr. Daniel's response as follows:

Conditional approval is reluctantly granted and is based only on the applicant's concurrence to submit engineering calculations 90 days prior to applying for a DEES Engineering Permit. These calculations shall demonstrate zero increase in flood risk to upstream, neighboring, and downstream properties.

Attorney Scott stated the applicant was okay with the substance of the comment and what staff is asking for but wanted to understand the logic or utility of providing it 90 days prior as opposed to concurrent with the permit application.

Mr. Daniel advised that the comments had been made since the start of the project in April, and the response had been deferred to now. He stated his position is that he does not know what further information he will need once the initial calculations are submitted, so he had given himself as much as 90 days to make the review and give an approval. He noted approval may be less than 90 days, depending on the quality of the submittal made. Mr. Daniel explained that when the applicant makes an application to DEES for the permit to construct the project, there are other things being looked for at that stage, including parking lot arrangement and other project details, not details related to how the project would work. He noted at this point, he is looking for the drainage level and how the drainage will work, and part of that is the calculations for the culverts. He stated he had asked for it and was told it would be submitted with the Conditional Letter of Map Revision (CLOMR), which is fine, but when he gets the CLOMR calculation and the other calculations he had asked for, it should be a substantial amount of data to go through.

Jeff Schnars, Civil Engineer, Schnars Engineering, asked whether Mr. Daniel was asking for the CLOMR analysis 90 days ahead of starting to look at the final engineering plans, or if that could be done concurrently with at least 90 days to review the CLOMR before the permit is issued.

Mr. Daniel responded that the latter was correct. He advised that with the CLOMR there is a computer modeling analysis. He stated the purpose of the CLOMR is to show No-Rise Certification. He stated the intention was to show there would be no flood level rise for the communities upstream of the project, communities neighboring the project, and communities downstream of the project. He stated he is hoping the analysis, computer modeling and calculations shown by the applicant would give him a level of comfort that this No-rise Certification is accurate.

Mr. Schnars stated he agreed, but wanted to be clear the review of the final engineering plans would not be held up until the review of the CLOMR analysis was completed. Mr. Daniel confirmed that he would be holding up the review for the CLOMR analysis. He stated he did not think it would be sensible to approve a project if he did not know if the drainage was going to work.

Mr. Schnars asserted he was asking for a concurrent analysis. Mr. Daniel stated they could do that, but for it to be approved, the calculations would need to be approved first.

Mr. Schnars stated he believes they need to come to an agreement. He noted there is a lot of repeats of a similar concept in the comments, and he would like to come to one (1) condition of approval that can state what is being talked about.

Attorney Scott referenced comment 42 as an example. He stated the City asked the applicant to hire the company directed to run a hydraulic model to determine lift station capacity, and that had come back saying there was capacity. He noted then Mr. Daniel was saying they needed to do an additional analysis, and what Mr. Schnars was hoping for was for that to be done as part of the engineering permit review.

Mr. Daniel stated to be clear, when asking for the hydraulic model, it was to analyze the pressurized components of the sewer system. He noted a hydraulic model of the potable water system was also completed and came back fine. He explained the wastewater modeling was done only for the pressurized component.

Richard Nixon, Building Department Director, joined the meeting at 10:16 a.m.

Mr. Schnars argued that was not what the report said, and that the report said it included the collection system. Mr. Daniel asserted a model could not be done on the gravity system.

Mr. Daniel stated the understanding was that the model would take care of the pressurized system, and someone needed to calculate whether the gravity system can accept the flow from 137 townhomes. He stated it is a 12-inch PVC pipe, and someone needs to calculate the capacity from that pipe and ensure that it can accept the flow from 137 homes at peak times, such as 7 a.m. to 9 a.m. when everyone is taking a shower. He asserted the hydraulic monitoring cannot analyze the non-pressurized system, which is what the comment is referring to.

Attorney Scott read reference 49 for the record as follows:

Describe how the area will be dedicated for public use, including ownership, maintenance responsibility, and access/intended users. Including this information in your application documents prior to proceeding to the Planning & Zoning Board.

Attorney Scott asked Mr. Pinney to expand upon what he was looking for the applicant to provide.

Mr. Pinney explained the response provided by Amanda Martinez on behalf of the applicant was sufficient, it just needed to be inserted into the language where the application talks about dedicating the park for public use. He noted they should update their LUPA applications with the information.

Attorney Scott advised that the applicant has the subdivision resurvey prepared, and they will be looking to start that separate track shortly. Mr. Pinney agreed, and pointed out that if it is a separate track, it will be completely conditioned on everything else.

Attorney Scott stated he understood, which is why they had expressed reluctance to do it. Mr. Pinney confirmed he understood.

Attorney Scott pointed to reference 57, and stated his understanding was that it was fine to include (the park) in the Planning Unit Development (PUD) and use it for the calculations they need for that, but on approval, staff wants the areas in front to have a land use designation of Parks and Recreation for City tracking purposes. He stated this could be accomplished by updating everything to show the metes and bounds for that area. Mr. Pinney confirmed the City land use is important for internal analyses which are reported to the County on acreage, and also provides another layer of regulation on that portion of the property so that it remains a park.

Attorney Scott stated he wanted to call attention to reference 21, because he thought they had submitted all of what was requested, so it was concerning to see a comment that staff was not seeing these items. Giovanni Batista, Public Works Director, stated reference 21 was an old comment.

Mr. Pinney asked whether the applicant had any additional comments on the land use application. Attorney Scott stated he did not.

Mr. Pinney advised that he wanted to circle back to the letters from DEES. He asked Mr. Daniel if, based on the information submitted, he would be able to issue capacity letters for the potable water, sanitary sewer, and drainage.

Mr. Daniel stated affirmative on the first two (2) issues, the capacity letters for sewer and water should not be a problem capacity-wise, but the drainage letter was contingent upon everything being asked for in terms of the CLOMR from the Federal Emergency Management Agency (FEMA), calculation to show the culvert on Atlantic Boulevard was sufficiently sized, and the No-rise Certification. He asserted it would be impossible to issue the drainage letter without that information which the application had been made contingent upon. He noted analysis of the impact of the removal of the small golf cart crossing on the area upstream and downstream was also needed. He explained these items would form the basis of the ability to issue the letter. He stated he could issue a letter saying it was contingent on those submittals, if that would work, but it would not be able to say, "the letter is hereby issued."

Attorney Scott asserted he believed that was incorrect, because based on every other LUPA the team had collectively done in other jurisdictions, the three (3) letters are received before the application is submitted. He stated that respectfully, what Mr. Daniel was saying could not be the case, because in their experience everywhere else, the applicant provides certain general drainage, potable water, and lift station calculations for capacity, and cities provide the letters within two (2) weeks.

Attorney Scott stated the applicant was okay conceptually with Mr. Daniel saying it was part of site planning, and that as part of engineering permits, he wants to know more, but for the LUPA,

he questioned how that could be the case. He asserted the City won't even take the application (without the letters).

Mr. Daniel asked Mr. Pinney for clarification as to whether the drainage calculations would be part of the LUPA, or if they could be taken out. Mr. Pinney responded that the capacity letter for drainage that the application requires is explained in paragraph D of the LUPA application. He stated the applicant is asked to provide information in items one (1) through five (5) of the paragraphs related to the City's adopted level of service for drainage and whether there are any planned drainage improvements, and in item six (6) the local drainage district is asked to verify what the applicant has provided.

Mr. Daniel stated the details of the letter and review he is being asked to do includes off-site discharge, which is the discharge of the project through the existing culvert on Atlantic Boulevard. He noted this was something he could not speak to at this stage, and asked the applicant if he agrees. Mr. Schnars stated that he disagrees that staff can't write the letter.

Mr. Daniel asked if he agreed that they don't have information on the off-site discharge. Mr. Schnars countered that they are reiterating the standards. He stated he provided pre-post analysis for stage, in essence with the additional lake area and proving they have the same stages, and they have a pre-post analysis for discharge also.

Attorney Scott asserted the letters are usually based on the pre and post. He suggested it might help if the applicant were to provide examples from other cities to give an idea of the level of detail that is being requested for the letters.

Mr. Daniel responded that they could do that, and it should be a simple conversation. He stated there is an existing culvert on Atlantic Boulevard which currently accepts flow from the Margate Executive Golf Course property, and that property is now being redeveloped, and additional flow will be generated as a result of the redevelopment. He asserted the existing culvert needs to be analyzed to see if it can accept the flow from the redeveloped property.

Mr. Batista stated that as part of the response from the applicant in April 2023 to a question from Public Works related to the upstream and downstream impact of the development stormwater, the applicant wrote, "lakes and canals are being widened with properly sloped banks which will allow for a better flow through the property." He noted there was reference made in the response that the project has a net surface water management benefit. Continuing, Mr. Batista stated what Mr. Daniel was saying and what staff had been saying for some time is that they just need to understand the impact on the downstream side of things. He noted the question is fair, in that they do not know the impact. He stated the applicant is basing their engineering assumptions on a capacity from the development to the lake, but not necessarily from the lake to the downstream culvert. He asserted that as long as there is a discussion related to that, staff is open to discussion.

Mr. Daniel explained another requirement of the drainage analysis is the floodplain routing, which is subject to the CLOMR, so those are two (2) key elements of the drainage letter. He reiterated

that he could probably write a letter saying conditional approval is granted, with final approval once he has the documentation. Attorney Scott stated that was what they were driving at.

Mr. Pinney stated from the planning side of things, he was just looking for the letters affirming the verification was done, so if Mr. Daniel is fine with a conditional letter, he would take that and move forward. He suggested Mr. Daniel review items one (1) through five (5) in paragraph D of the LUPA application and if he needs more information, perhaps make the letter conditional on receipt of those items.

Mr. Daniel stated he would come up with a letter that he thinks would work for the applicant to have the documentation needed to move forward. He clarified that the letter does not say you should review only items one (1) through five (5). Attorney Scott stated they are not trying to provide short shrift to any of the drainage concerns. He stated this was a box checking element for a LUPA and explained the disconnect was related to experience with other projects.

Mr. Daniel stated he would provide a conditional letter, but wanted to be clear this was not a routine project. He noted there is a channel flowing through this project which makes it quite unique, and the City of Margate may never do another project like it. He stated he thinks the project can work, but they have to show the calculations. Continuing, Mr. Daniel explained if, moving forward a need to expand any of the drainage is identified, staff would need some sort of commitment from the developer at the time of permitting that the developer will commit to upsizing the culvert as required. Attorney Scott clarified that they do not disagree that may be the case.

Mr. Pinney asked the Committee whether they were looking at conditional approval of the LUPA.

Mr. Daniel stated in his comments he had three (3) rejections, and they had already looked at the lift stations and sewer line. He explained he had since had conversations with the rest of the team, and DEES thinks they can move forward on a conditional basis with those elements being pushed to a later date. He stated these items were minor, which is why he believed they should have been addressed now.

Each member of the DRC present individually advised that they had no objection to conditional approval of the application.

Mr. Pinney confirmed the DRC was granting conditional approval on the LUPA. He stated the comments are in the system, and he would need the capacity letters before sending the application to the Planning and Zoning Board.

Mr. Daniel stated based on his understanding, Mr. Pinney needed the letters on or about October 9. Attorney Scott stated he would draft a sample letter to make the process easier. Discussion ensued briefly regarding the letter requirements.

B) *ID2023-284*

DRC NO. 23-400013 RECONSIDERATION OF A REZONING FROM S-1 AND R-3A TO PUD AND S-2 TO REDEVELOP THE 21.3-ACRE MARGATE EXECUTIVE GOLF COURSE INTO A 137-UNIT TOWNHOUSE DEVELOPMENT.

LOCATION: 7870 MARGATE BOULEVARD

ZONING: S-1 RECREATIONAL DISTRICT AND R-3A MULTIPLE DWELLING DISTRICT

LEGAL DESCRIPTION: PARCEL 3, "ORIOLE GOLF AND TENNIS CLUB SECTION TWO," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 78, PAGE 21, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA TOGETHER WITH A PORTION OF PARCEL 4 OF SAID PLAT, "ORIOLE GOLF AND TENNIS CLUB SECTION TWO," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 78, PAGE 21, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PETITIONER: MATTHEW H. SCOTT, ESQ., AGENT FOR MICHAEL FIMIANI, FIMIANI DEVELOPMENT CORPORATION.

Mr. Pinney explained this was a resubmittal, with the first review having taken place on June 28, 2023, and stated staff comments were delivered to the applicant and were attached to the agenda online for reference. He invited any additional comments or corrections from staff. Seeing none, he asked whether the applicant had questions regarding the comments.

Attorney Scott stated he did not have questions specifically related to the rezoning.

Mr. Pinney advised he wanted to draw the applicant's attention to reference 32, an information-only comment, as follows:

Several PUD related comments appear on the site plan application and/or LUPA application but are applicable to this application none the less.

Mr. Pinney noted the site plan is a required exhibit for the rezoning as it goes forward.

Attorney Scott asked if it made more sense to discuss the rezoning comments as part of the rezoning. Mr. Pinney stated they could do that, as they are integrated because of the Code.

C) *ID2023-0285*

DRC NO. 23-400014 RECONSIDERATION OF A SITE PLAN TO REDEVELOP THE 21.3-ACRE MARGATE EXECUTIVE GOLF COURSE INTO A 137-UNIT TOWNHOUSE DEVELOPMENT.

LOCATION: 7870 MARGATE BOULEVARD

ZONING: S-1 RECREATIONAL DISTRICT AND R-3A MULTIPLE DWELLING DISTRICT

LEGAL DESCRIPTION: PARCEL 3, "ORIOLE GOLF AND TENNIS CLUB SECTION TWO," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 78, PAGE 21, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA TOGETHER WITH A PORTION OF PARCEL 4 OF SAID PLAT, "ORIOLE GOLF AND TENNIS CLUB

SECTION TWO," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 78, PAGE 21, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. **PETITIONER:** MATTHEW H. SCOTT, ESQ., AGENT FOR MICHAEL FIMIANI, FIMIANI DEVELOPMENT CORPORATION.

Mr. Pinney read the title of the item and stated the site plan would be heard simultaneously with the rezoning application.

Attorney Scott pointed to reference 73, and noted it relates to the open space requirement on PUDs. He stated PUDs are required to have 35 percent open space and the Code provides definitions for what can and cannot be open space. He explained one (1) thing the applicant is trying to work through is that PUDs require a 25-foot minimum peripheral setback and a 25-foot minimum peripheral buffer. He stated for this project, because the site has a funky shape, a design element they believed would make sense was to provide larger peripheral setbacks. He noted they had discussions with other members of staff and had questions regarding the interpretations of the open space requirements.

Mr. Pinney advised that there were a number of comments entered related to open space, he agreed, and the bottom line was that the calculation provided needed to be revised. He stated if there are any sticking points, he could meet with the applicant to discuss and point to what Code says what, but really the issue was to revise and address the flaws in the submittals before staff could agree there was open space sufficient to Code requirements.

Continuing, Mr. Pinney stated the comments started by asking the applicant to cite where in the Code they are allowed to count this or remove it, and the response was to cite back a definition of open space, which seems partially read through. He noted the end of the definition and stated if the applicant can show where it is allowed, they can agree there is open space.

Attorney Scott stated he believed they were close, because depending on the interpretation, the applicant has run five (5) different models based on what they can and cannot include. He said he believed he needed to follow up with Mr. Pinney on the issue, but that it could be sufficiently addressed, and they would be open to a condition to address it. He noted the access lane for fire on the west side of the site which was a grass and concrete paver grid which was 20 feet wide and part of a 50-foot landscaped area.

Mr. Pinney asked for clarification as to whether the measurement was from water's edge to property line. Mr. Schnars confirmed this was correct.

Mr. Pinney inquired as to whether there were any plantings allowed in the canal slope. Mr. Schnars stated there was not.

Mr. Pinney asked whether there were plantings in the fire lane. Mr. Schnars stated there were not.

Attorney Scott stated he was suggesting for discussion purposes that it was 50 feet. He stated the Code speaks to providing walking paths and providing amenity areas, so they thought as it was rare if ever that the fire path would be used, that this would likely be a place where people walk and fish and do things. He asked whether there were things that staff needed to see to consider it that.

Mr. Schnars asserted they believe this was supported by the Code, as it says, "the area contained within a contiguous open space pedestrian system."

Attorney Scott stated they were seeking feedback on whether adding something to that area or programming it a certain way would achieve what the Committee is looking for as far as that part of the Code. Mr. Pinney responded that he believed there was potential to add a few improvements and get full credit for the area.

Attorney Scott explained it was the applicant's expectation that people would use the lake, but he wanted to make sure that Fire does not have any issue with that, assuming it would not be obstructed in any way. He acknowledged this was the biggest sticking point in the back-and-forth discussion and needed to be addressed with Planning staff. David Scholl, Fire Marshall, stated he was fine with it. Attorney Scott stated the applicant was still working on ideas.

Attorney Scott discussed reference 59. He stated he understood it was an old comment, but wanted to make sure Public Works was comfortable with the access. Mr. Batista confirmed.

Attorney Scott pointed to reference 112, and stated he believed it was a notation item which could easily be done on the plans. Mr. Batista responded that it was fine as long as the notation was on the plans. Attorney Scott stated they had a number of conversations with DEES staff about these things being private between the last submittal and now.

Attorney Scott stated they agreed reference 113 would need to be done as part of the permitting process. He noted they understand they have to do that. He pointed to reference 121 and asked for feedback on the genesis of the comment.

Mr. Batista advised the comment goes back to the response from April 7, 2023, from Amanda Martinez, which reads, "lakes and canals are being widened with properly sloped banks which will allow for a better flow through the property." He noted the existing embankments are going to be widened, but the existing embankments are sandy loam, so it is a lot of sand. Continuing, Mr. Batista stated the canal not only goes from the north of the property but makes its way down to the parcel just north of Atlantic Boulevard. He added that as you follow the north/south canal to the southern part of the canal, which remains sandy, as well. He explained the concern is that if lake and the embankments are going to be widened out of need for the property and the development, there is going to be an impact beyond the development that needs to be considered. He recapped that the comment was stemming from existing conditions, including consideration of the property beyond the development and consideration of hardening if necessary.

Mr. Schnars stated there are banks that are eroded and steep, so when he says they are making improvements to the banks, they are sloping them at what would be a normal lake bank, versus a normal canal bank. He advised a lake bank is typically sloped at a minimum of four (4) to one (1), while a canal bank is typically something steeper, like a two (2) to one (1). He stated the smaller portions along the north and on the east property line would also be sloped, sodded, and maintained by the Homeowners Association (HOA). He noted in this case the HOA will be maintaining the entire grounds, not just the common areas. Continuing, Mr. Schnars explained the canal is being straightened out, so it would not have the jigs and jags that water gets held up on. He stated relatively speaking, there is not a great amount of water flowing through this project. He referenced County and Water District canals and asserted it would not be the kind of canal that has those types of flows, nor would it be the type of canal with those types of slopes.

Mr. Schnars stated they typically would not harden a canal, except in certain locations with situations that take on a higher velocity of water than what would be experienced here. He pointed out that hardening the entire canal would be a great expense. He added they did not want to do something that did not make sense and was not justified. He pointed to the area around the culvert as an area which may require hardening.

Mr. Batista advised that he did not disagree, he was just making a statement of existing conditions. He stated that it is obvious to him in going to the site numerous times that there is a question about the integrity of the embankment. He noted they could have a discussion about hardening options, and some would be more expensive than others, but surely there has to be a commitment from the developer that it is going to be addressed. He stated the comment is not going to go away, it is just going to open more conversation.

Attorney Scott stated they are open to discussing hardening, if it is required, and to giving a level of comfort to that. He noted he did not have experience in that area so would defer to Mr. Schnars. He explained the thought process was that would be something addressed when geotechnical work was done closer to the permitting process, as opposed to at the site plan stage, which is conceptual in nature. Attorney Scott stated assuming the project gets support from the City Commission and Broward County, permitting would be easily a year away, and there would be meetings during that time to highlight areas which need to be addressed. He noted it sounds as though they were generally on the same page. Mr. Batista stated he had no objection to that.

Attorney Scott stated he was not able to see the utilities comments on the drawings. Mr. Pinney explained the process for accessing the comments following the DRC hearing.

Mr. Batista explained the comments on the plans also had to do with the embankment, and the hardening needed to account for driving on the embankments to maintain the canal system without the embankment caving in. He noted this was a matter of access for utilities.

Attorney Scott stated it was the applicant's understanding that it would be their responsibility to maintain those, so the City would be maintaining them as a last resort in the case of some event. Mr. Batista stated there needed to be the opportunity to provide community service.

Attorney Scott explained there had been a lot of back-and-forth with DEES about everything on the site being privately maintained, so he wanted to clarify that piece of the puzzle. He stated they agreed, reluctantly, to take responsibility for all the maintenance obligations on-site, including drainage, water, and sewer. Mr. Batista confirmed.

Attorney Scott stated he had further questions. He thanked the Committee for their time put into the project.

Mr. Pinney stated the DRC was granting conditional approval on the site plan and rezoning. There were no objections.

Mr. Pinney reiterated that before the application could move forward to the Planning and Zoning Board, the open space issues needed to be addressed.

GENERAL DISCUSSION

Mr. Pinney called for general discussion. There being no further business to discuss, the meeting was adjourned at 11:00 a.m.

Respectfully submitted,



Elizabeth Taschereau, Director of Development Services

Exhibit C

Broward County Property Appraiser's 2022 Notice of Ad Valorem Tax and Non-Ad Valorem Assessments For Subject Property

Property ID Number 484135-05-0030	Escrow Code	Assessed Value See Below	Exemptions See Below	Taxable Value See Below	Millage Code 1212
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MARGATE EXECUTIVE GOLF COURSE LLC
5301 N FEDERAL HWY #350
BOCA RATON, FL 33487

PAYMENTS MUST BE MADE IN US FUNDS AND DRAWN ON US BANK ACCOUNT.

7870 MARGATE BLVD
ORIOLE GOLF & TENNIS CLUB SEC 2
78-21 B
PARCEL 3

WWW-22-00173675 Paid By Margate Executive Golf Course \$16,002.78

Taxing Authority	Millage	AD VALOREM TAXES Assessed Val	Exemptions	Taxable Val	Taxes Levied
BROWARD COUNTY GOVERNMENT					
COUNTYWIDE SERVICES	5.53060	309,380	0	309,380	1,711.06
VOTED DEBT	0.13840	309,380	0	309,380	42.82
BROWARD CO SCHOOL BOARD					
GENERAL FUND	4.45100	1,841,530	0	1,841,530	8,196.65
CAPITAL OUTLAY	1.50000	1,841,530	0	1,841,530	2,762.29
VOTER APPROVED DEBT LEVY	0.18730	1,841,530	0	1,841,530	344.92
SO FLORIDA WATER MANAGEMENT					
EVERGLADES C.P.	0.03270	309,380	0	309,380	10.12
OKEECHOBEE BASIN	0.10260	309,380	0	309,380	31.74
SFWM DISTRICT	0.09480	309,380	0	309,380	29.33
NORTH BROWARD HOSPITAL	1.60290	309,380	0	309,380	495.91
CHILDREN'S SVCS COUNCIL OF BC	0.45000	309,380	0	309,380	139.22
CITY OF MARGATE					
MARGATE OPERATING	7.11710	309,380	0	309,380	2,201.89
DEBT SERVICE	0.53370	309,380	0	309,380	165.12
FL INLAND NAVIGATION	0.03200	309,380	0	309,380	9.90

Receipt # Paid 01/23/2023

Total Millage:	21.77310	Ad Valorem Taxes:	\$16,140.97
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Levying Authority	NON-AD VALOREM TAXES Rate	Amount
12 MARGATE FIRE RESCUE		188.40
Non-Ad Valorem Assessments:		\$188.40
Combined Taxes and Assessments:		\$16,329.37

If Postmarked By Please Pay	Jan 31, 2023 \$0.00				
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Paid 01/23/2023 Receipt # WWW-22-00173675 \$16,002.78
Paid By Margate Executive Golf Course

Make checks payable to:

BROWARD COUNTY TAX COLLECTOR
GOVERNMENTAL CENTER ANNEX
115 S. ANDREWS AVENUE, ROOM # A100
FORT LAUDERDALE, FL 33301-1895

Property ID Number 484135-05-0030

PAY YOUR TAXES ONLINE AT:
broward.county-taxes.com

If Postmarked By	Please Pay
Jan 31, 2023	\$0.00

Return with Payment

PAYMENTS MUST BE MADE IN US FUNDS AND DRAWN ON US BANK ACCOUNT

MARGATE EXECUTIVE GOLF COURSE LLC
5301 N FEDERAL HWY #350
BOCA RATON, FL 33487

Please Pay Only One Amount

Property ID Number 484135-08-0010	Escrow Code	Assessed Value <i>See Below</i>	Exemptions <i>See Below</i>	Taxable Value <i>See Below</i>	Millage Code 1212
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MARGATE EXECUTIVE GOLF COURSE
LLC
5301 N FEDERAL HWY STE 350
BOCA RATON, FL 33487

Corrected
**PAYMENTS MUST BE MADE IN US FUNDS AND
DRAWN ON US BANK ACCOUNT.**

7705 MARGATE BLVD
ORIOLE GOLF & TENNIS CLUB SEC 2
78-21 B
A PORTION OF PARCEL 4 DESC AS
COMM AT NW COR OF SEC 35-48-41,

\$1,010.39
Paid By Margate Executive Golf Course

Taxing Authority	Millage	AD VALOREM TAXES			Taxes Levied
		Assessed Val	Exemptions	Taxable Val	
BROWARD COUNTY GOVERNMENT					
COUNTYWIDE SERVICES	5.53060	39,010	0	39,010	215.75
VOTED DEBT	0.13840	39,010	0	39,010	5.40
BROWARD CO SCHOOL BOARD					
GENERAL FUND	4.45100	68,600	0	68,600	305.34
CAPITAL OUTLAY	1.50000	68,600	0	68,600	102.90
VOTER APPROVED DEBT LEVY	0.18730	68,600	0	68,600	12.85
SO FLORIDA WATER MANAGEMENT					
EVERGLADES C.P.	0.03270	39,010	0	39,010	1.28
OKEECHOBEE BASIN	0.10260	39,010	0	39,010	4.00
SFWM DISTRICT	0.09480	39,010	0	39,010	3.70
NORTH BROWARD HOSPITAL	1.60290	39,010	0	39,010	62.53
CHILDREN'S SVCS COUNCIL OF BC	0.45000	39,010	0	39,010	17.55
CITY OF MARGATE					
MARGATE OPERATING	7.11710	39,010	0	39,010	277.64
DEBT SERVICE	0.53370	39,010	0	39,010	20.82
FL INLAND NAVIGATION	0.03200	39,010	0	39,010	1.25

Paid 01/23/2023 Receipt #

Total Millage:	21.77310	Ad Valorem Taxes:	\$1,031.01
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Levying Authority	NON-AD VALOREM TAXES		Rate	Amount
Non-Ad Valorem Assessments:				\$0.00
Combined Taxes and Assessments:				\$1,031.01

If Postmarked By Please Pay	Jan 31, 2023 \$0.00				
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Make checks payable to:

BROWARD COUNTY TAX COLLECTOR
GOVERNMENTAL CENTER ANNEX
115 S. ANDREWS AVENUE, ROOM # A100
FORT LAUDERDALE, FL 33301-1895

Property ID Number 484135-08-0010

Corrected

PAYMENTS MUST BE MADE IN US FUNDS AND DRAWN ON US BANK ACCOUNT

MARGATE EXECUTIVE GOLF COURSE
LLC
5301 N FEDERAL HWY STE 350
BOCA RATON, FL 33487

**PAY YOUR TAXES ONLINE AT:
broward.county-taxes.com**

If Postmarked By	Please Pay
Jan 31, 2023	\$0.00

Return with Payment

Please Pay Only One Amount