

Margate Cares for Heroes

City of Margate City Commission Meeting
August 25, 2021



CITY OF
MARGATE
Together We Make It Great

City of Margate
DEVELOPMENT REVIEW COMMITTEE
Application for Rezoning

5790 Margate Blvd., Margate, FL 33063
954-972-6454

Submittal Date (official use):

Project Name **Margate Care for Heroes, LLC**

Address **603 Melaleuca Drive, Margate, FL 33063**

DRC #

Acreage **1.06**

Folio Number **4841 36 02 0350**

Paid:

Existing Use **Long Term Care Facility**

Legal Description **Hammon Heights Sec 2 34-46 B LOTS 1 & 2, TOG/W LOT 3, ALL IN BLK 3**

Describe proposal/request in detail, including non-residential square footage and/or number of dwelling units

Change of zoning to CF-1 to allow Medical Rights in a I-2 Building. This property was converted from a 10 unit apartment building to a Long Term Care Facility. Permit 15-00001248 4/26/16, CO 3/30/2017.

DECLARATION OF RESTRICTIVE COVENANT

This Declaration of Restrictive Covenant ("Declaration") is executed as of this ____ day of _____, 2021 (the "Effective Date"), by Margate Care for Heroes, d/b/a Quality of Life, Corp., and MMJ Financial Services, Inc. (~~collectively~~, the "Owner").

RECITALS

- A. The Owner holds fee simple title to that certain parcel of land located in the County of Broward, State of Florida, which is more fully described on Exhibit A hereto (the "Property").
- B. The Owner has presented an application to the City of Margate to rezone the Property to Communities Facilities (CF-1).
- C. The purpose of this Declaration is to confirm that the Owner, its assigns, principals, agents, officers, directors, members, servants, employees, successors, and all other affiliated persons and/or entities agree that, in event the City Commission votes to rezone the Property, the Owner hereby covenants and agrees not to use the Property for the following land uses enumerated in Section 11.3 of the City's Zoning Code without first obtaining City approval:
 - 1. house of worship
 - 2. school
 - 3. hospital
 - 4. detoxification facility
 - 5. municipal building
 - 6. fire station
 - 7. library
 - 8. public office
 - 9. park
 - 10. playground
 - 11. reservation
 - 12. parking

- D. The Owner covenants that this Declaration does not impose a restriction based upon disability and, therefore, is not in violation of the Americans with Disabilities Act and/or the Fair Housing Act.
- E. If any provision of this Declaration is held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect the remainder of such provision or any other provisions hereof.
- F. This Declaration shall be construed and enforced in accordance with the laws of the State of Florida.
- G. This Declaration may be amended or dissolved only by written instrument executed by the City of Margate and by the owner of the Property at the time the amendment or dissolution is sought, or by order of a court of competent jurisdiction.
- H. This Declaration constitutes the entire agreement of the Owner with respect to the subject matter hereof and supersedes all prior negotiations or discussions, whether oral or written, with respect thereto.

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be signed by its duly authorized representative, as of the day and year first above written.

2014

2015

2016

2017

2018

2019

2020

2021

PETITIONER: Miryam Jimenez

HEARING NO.: BA-01-2015

SECTION OF CODE: Section 2.2

ZONING: R-3 Multi-family dwelling

Code requires a minimum separation of 1,000 feet for group care facilities. Petitioner is requesting permission to convert an apartment building to a group care facility that is located approximately 970 feet from an existing group care facility.


Section 2.2 of the Margate Zoning code requires a minimum separation of 1,000 feet for group care facilities. A portion of the petitioner's property is located approximately 30 feet within the 1,000 feet buffer. Staff recommends approval of the variance request based on the findings that the majority of the facility is located outside the minimum separation requirement, and the previous use of the building as an apartment complex does not alter the neighborhood character.

RECOMMENDATION:

APPROVE

APPROVE WITH
CONDITIONS

DENY


Director of Economic Development

21 DEC 14
Date

2014 **2015** 2016 2017 2018 2019 2020 2021

CITY OF MARGATE, FLORIDA

RESOLUTION NO. 15-010

A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING WITH CONDITIONS A SPECIAL EXCEPTION USE TO PERMIT A GROUP CARE FACILITY WITHIN THE R-3 MULTIPLE DWELLING DISTRICT FOR MIRYAM JIMENEZ, LOCATED AT 603 MELALEUCA DRIVE, SUBJECT TO THE FINDINGS OF THE DEVELOPMENT REVIEW COMMITTEE.

WHEREAS, on November 26, 2014 the Development Review Committee reviewed a proposal for an existing apartment building to be converted to a group care facility located at 603 Melaleuca Drive and recommended approval subject to the following conditions:

- 1) Receive variance approval from Board of Adjustment based on Section 2.2 of the Margate Zoning Code
- 2) Any interior alterations will require plans to be submitted to the Building Department to obtain necessary permits
- 3) Any items required by Fire Code based on the new use of the facility will be necessary
- 4) Obtain a Local Business Tax Receipt (LBTR) necessary for the use
- 5) Pay water and sewer impact fees if resident capacity exceeds twenty-four (24) residents
- 6) Work with the various departments to obtain all necessary permits

WHEREAS, on January 6, 2015 the Board of Adjustment approved variance BA-01-2015 for permission to open a group care facility at 603 Melaleuca Drive, which is 970 feet from an existing facility.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA:

SECTION 1: That the City Commission of the City of Margate, Florida, hereby approves with conditions a special exception use to permit a group care facility within the R-3 Multiple Dwelling District for Miryam Jimenez located at 603 Melaleuca Drive. The

CITY OF MARGATE, FLORIDA

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2014 **2015** 2016 2017 2018 2019 2020 2021

FINDINGS FROM RESOLUTION NO. 15-010

(a) The use is compatible with the indigenous environment and with properties in the neighborhood, as outlined in the Margate Comprehensive Plan.

(b) There are no substantial detrimental effects of the proposal on property values in the neighborhood.

(c) There are no substantial detrimental effects with the use on living or working conditions in the neighborhood.

2014 2015 2016 2017 2018 2019 2020 2021

FINDINGS FROM RESOLUTION NO. 15-010

(d) There is adequate ingress and egress to the development, with particular reference to automotive and pedestrian safety, control of automotive traffic, provision of services and servicing of utilities and reuse collection, and access in the case of fire, catastrophe, or emergency.

(e) There is adequate off-street parking in relation to buildings, and adequate internal traffic patterns with particular reference to automotive and pedestrian traffic safety, traffic flow and control, access in case of fire or emergencies, and screening and buffering.

(f) There is acceptable orientation, location, size, and features of buildings, and appearance and harmony of the buildings with nearby development and land uses.

2014 2015 2016 2017 2018 2019 2020 2021

FINDINGS FROM RESOLUTION NO. 15-010

(g) There is sufficiency of setbacks, buffers, and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the development and to control adverse effects of site generated noises, lights, fumes, and other nuisances.

(h) There is adequate stormwater management with attention to the necessity of on-site retention to alleviate flooding and ground water pollution without compromising the aesthetics and maintainability of landscaping.

(i) There is adequate landscaping with an emphasis on the preservation of existing trees, the use of native species, and the use of berming along street perimeters.

2014 **2015** 2016 2017 2018 2019 2020 2021

FINDINGS FROM RESOLUTION NO. 15-010

(j) There is compliance with the applicable goals, objectives, and policies of the Margate Comprehensive Plan.

2014

2015

2016

2017

2018

2019

2020

2021

STATE OF FLORIDA)

COUNTY OF BROWARD)

AFFIDAVIT OF MIRYAM JIMENEZ

BEFORE ME, personally appeared MIRYAM JIMENEZ, who, being first duly sworn according to law, deposes and states as follows:

1. I am over the age of 21 years and competent to make this affidavit based upon my own personal knowledge.
2. I am the President of MMJ Financial Services, Inc., a Florida corporation, owner of the property having a civil street address of 603 Melaleuca Drive, Margate, FL ("Property").
3. On behalf of MMJ Financial Services, Inc., I have made an application for approval of building plans for a group care facility to be established on and operated from the Property.
4. I intend to operate a group care facility, as defined by the City of Margate Code of Ordinances, and as approved in City Resolution No. 15-010, which shall provide services to its residents consistent with customary practice in Broward County, Florida.
5. I will not operate a detoxification facility from the Property without the prior approval of the City of Margate, Florida.

The foregoing instrument was sworn to and subscribed before me on this 13th day of July, 2015 by MIRYAM JIMENEZ, who is (personally known to me) or (who has produced

(Notary Seal)

Notary Public State of Florida
Notarial Seal stamped in black ink

OR
Typed, printed or stamped name of
Notary
Commission No.: _____



112530966.1

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Notary
Commission No.: _____



112510668.1

Quality of Life, Corp.

Our Group Care Facility will provide;

Assisted Living Facility

Facility provides 24-hr care, services and protective oversight to residents who are provided with shelter and board, and who may need assistance with activities of daily living which include eating, dressing, bathing, toileting, transferring and walking. Facility also provides oversight for storage, distribution, or administration of medications; and health care supervision under the direction of a licensed physician, and consistent with a social model of care. A social model of care includes long-term care services based on the abilities, desires, and functional needs of individuals delivered in a setting that is more home-like than institutional and which promotes the dignity, privacy, independence, and autonomy of the individual. A licensed Nursing Home Administrator is required.

Skilled Nursing Facility

Facility provides 24-hour accommodation, board and skilled nursing care and treatment services to 16 or more residents. Skilled nursing care and treatment services are commonly performed by or under the supervision of a registered professional nurse for individuals requiring twenty-four hour care by licensed nursing personnel including acts of observation, care and counsel and the administration of medications and treatments as prescribed by a licensed physician, and other nursing functions requiring substantial specialized judgment and skill. Licensed Nursing Home Administrator is required.

2014 2015 **2016** 2017 2018 2019 2020 2021

**CHANGE OF OCCUPANCY PERMITS 15-00001248 TO I-2
HOSPITAL/MEDICAL CARE**

***** CITY OF MARGATE *****

Owner

MMJ FINANCIAL SERVICES, INC
603 MELALEUCA DR
MARGATE FL 33063

Contractor

ACECA CONSTRUCTION
7213 PINE BLUFF DR
LAKE WORTH FL 33467
(561) 574-7733

Structure Information 000 000 INT REMODEL-ASSISTED LIVING FACILITY
Construction Type CHANGE OF OCCUPANCY
Occupancy Type I-2 HOSPITAL/MEDICAL CARE
Other struct info IMPACT WINDOWS
NOTICE OF COMMENCEMENT X
PRESENT USE RECEIVED
PROPOSED USE
SQUARE FOOTAGE 8845.00
NUMBER OF STORIES 1.00

2014 2015 2016 **2017** 2018 2019 2020 2021

CERTIFICATE OF OCCUPANCY I-2 HOSPITAL/MEDICAL

pd
4-4-17

CITY OF MARGATE
901 NW 66TH AVENUE
MARGATE FL 33063

CERTIFICATE OF OCCUPANCY

PERMANENT

Issue Date 3/30/17

Parcel Number 8136-AM-0001

Property Address 603 MELALUCA DR
MARGATE FL 330634534

Subdivision Name H H 2

Legal Description

Property Zoning NOT APPLICABLE

Owner MMW FINANCIAL SERVICES, INC

Contractor ACECA CONSTRUCTION
561 574-7733

Application number 15-00001248 000 000

Description of Work MD-ADDITION & ALTERATION/COMMERCIAL

Construction type TYPE II-B

Occupancy type I-2 HOSPITAL/MEDICAL CARE

Flood Zone

Special conditions

CERTIFICATE OF OCCUPANCY ISSUED TO ACECA CONSTRUCTION INC
FOR "QUALITY OF LIFE" AS A GROUP CARE FACILITY ONLY, NO
MEDICAL DUTY, PBC 1014 5TH EDITION, 8845 SQ FT

Approved Debra D. [Signature]
Building Official

VOID UNLESS SIGNED BY BUILDING OFFICIAL

2014 2015 2016 2017 2018 2019 2020 2021

CITY OF MARGATE FIRE DEPARTMENT ASSESSMENT AS NURSING HOME BUILDING \$6,130.65/year

CITY OF MARGATE
6790 MARGATE BOULEVARD
MARGATE, FLORIDA 33063

CITY OF MARGATE, FLORIDA
NOTICE OF PUBLIC HEARING
TO IMPOSE AND PROVIDE FOR COLLECTION OF
FIRE RESCUE NON-AD VALOREM ASSESSMENT
NOTICE DATE: JUNE 10, 2020

Parcel Tax ID: 484136020350
Sequence Number: MF-012
Legal: HAMMON HEIGHTS SEC 2 34-46 B
LOTS 1

***** NOTICE TO PROPERTY OWNER *****

As required by Section 197.3632, Florida Statutes, and the direction of the City Commission, notice is hereby given by the City of Margate that an annual assessment for fire rescue services using the tax bill collection method may be levied on your property. The use of the annual special assessment to fund the rescue services benefiting improved property located within the City of Margate in the past has proven to be fair, efficient and effective. The total annual fire rescue assessment revenue to be collected within the City of Margate is estimated to be \$10,627,404 for fiscal year October 1, 2020 - September 30, 2021. The annual fire rescue assessment is based on the classification of each parcel of property and number of billing units contained therein. The above listed parcel has the following units:

Category	Number and Type of Billing Units	FY 20-21 Assessment
Nursing Home Building	8,885 Square Feet	\$6,130.65
Total Assessment		\$6,130.65

The maximum annual Fire Rescue Assessment that can be imposed without further notice for fiscal year 2020-21 and for future fiscal years for the above parcel is \$6,130.65.

A public hearing will be held at 7:00 p.m. on July 1, 2020 in the City Commission Chambers of City Hall, 6790 Margate Boulevard, Margate, Florida, for the purpose of receiving public comment on the proposed assessment.

Due to the COVID-19 pandemic, we will have an in-person session allowing no more than fifty (50) people in attendance at the public hearing, as long as social distancing guidelines can still be maintained. Additionally, we will utilize Communications Media Technology (CMT) for the purpose of online participation. The public will be able to participate in the public hearing virtually at 7:00 p.m. on July 1, 2020, at the following link: <https://margate.flgov.com/join/3233266743> or by calling US: 866-808-8883 or 866-808-4099 or 253-218-8782 or 317-718-6092 or 313-428-4799 or 345-248-7768 and entering WebID ID: 843-3684-6143. For additional information on how to secure the virtual public hearing, please visit <https://margate.flgov.com/Calendar.aspx>.

You and all other affected property owners have a right to appear at the hearing and to file written objections with the City Commission within 20 days of the notice. If you decide to appeal any decision made by the City Commission with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made. Including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons hearing a spouse, accommodation or an interpreter to participate in this proceeding should contact the City Clerk's office at (954) 972-6464 at least two (2) business days prior to the date of the public hearing.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of City Commission action at the above hearing (including the method of apportionment, the rate of assessment and the imposition of assessments), such action shall be the final adjudication of the issues presented.

Copies of the Fire Rescue Assessment Ordinance (Ordinance No. 9646), the Amended and Restated Initial Assessment Resolution (Resolution No. 16-228), the Amended and Restated Final Assessment Resolution (Resolution No. 16-245), as amended by Resolution No. 17-014, the Preliminary Rate Resolution initiating the annual process of updating the assessment and repositing the fire rescue assessment, and the preliminary assessment roll for the upcoming fiscal year are available for inspection at the City Clerk's office on the second floor of the Municipal Building located at 5700 Margate Boulevard, Margate, Florida.

Both the annual fire rescue assessment amount shown on this notice and the ad valorem taxes for the above parcel will be collected on the ad valorem tax bill mailed in November of each year the assessment is imposed. Failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a lien of title.

If there is a mistake on this notice, it will be corrected. If you have any questions regarding your fire rescue assessment, please contact the Finance Department at (954) 972-6464, Monday through Friday, between 9:00 a.m. and 6:00 p.m.

CITY OF MARGATE
6790 MARGATE BOULEVARD
MARGATE, FLORIDA 33063

CITY OF MARGATE, FLORIDA
NOTICE OF PUBLIC HEARING
TO IMPOSE AND PROVIDE FOR COLLECTION OF
FIRE RESCUE NON-AD VALOREM ASSESSMENT
NOTICE DATE: JUNE 10, 2020

Parcel Tax ID: 484136020350
Sequence Number: MF-012
Legal: HAMMON HEIGHTS SEC 2 34-46 B
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Category	Number and Type of Billing Units	FY 20-21 Assessment
Nursing Home Building	8,885 Square Feet	\$6,130.65
Total Assessment		\$6,130.65

2014 2015 2016 2017 2018 2019 2020 2021

**July 21, 2020, Public Hearing, Reasonable
Accommodation Request**

**October 12, 2020, DRC Meeting re Rezoning
Request**

2014 2015 2016 2017 2018 2019 2020 2021

June 1, 2021 - Public Hearing on Rezoning Request, R-1 and R-3 to CF - 1

August 25, 2021 - First Reading on Rezoning Request, R-1 and R-3 to CF - 1

ARTICLE XI. - COMMUNITY FACILITY CF-1 DISTRICT^[7]



Footnotes:

--- (7) ---

Editor's note— Ord. No. 1500.578, § 3, adopted Sept. 7, 2011, amended the title of [former] Art. VI½ to read as herein set out [as Art. XI]. The former title read Community Facility Districts.

Section 11.1. - Application of article.



The following regulations of this article shall apply in all community facility districts.

(Ord. No. 1500.163, § 1, 3-7-1979)

Section 11.2. - Purpose of district.



The community facility district is intended to provide for the orderly development of those educational, cultural, religious, health care, recreational, and governmental facilities required to meet the needs of the community in which they are located.

(Ord. No. 1500.163, § 1, 3-7-1979)

Section 11.3. - Permitted uses.



- (A) No building or structure, or part thereof, shall be erected, altered, or used, or land or water used in whole or in part, for other than one of the following:
- (1) Houses of worship and schools on the same plot. Such use shall be located on a plot having at least forty thousand (40,000) square feet and at least two hundred (200) feet of street frontage. Private academic schools, including VPK, may be permitted as an accessory use when located on the same plot as an existing house of worship.
 - (2) Hospitals, detoxification facilities, and long-term care facilities not including correctional or mental institutions, nor veterinary hospitals. Such use shall be located on a plot having at least forty thousand (40,000) square feet and at least two hundred (200) feet of street frontage.
 - (3) Municipal buildings, fire stations, libraries, public offices, parks, playgrounds, reservations, parking.
 - (4) Accessory structure or use which is clearly incidental or subordinate to the principal use and which use is located on the same plot.

Sec. 31-36. - Determinations required prior to a change in zoning.



- (a) *Unplatted land.* A change in zoning on unplatted land shall be made with the express condition that upon platting of the property, the plat shall be subject to development review procedures outlined in this article and that the city, at the time of the rezoning, makes no explicit or implied guarantees that services or facilities are available to serve the proposed development at the time of rezoning.
- (b) *Platted land:*
 - (1) A change in zoning on any platted land which according to Section 2.08 of the Margate Land Use Plan, or Section 3.11 of the zoning code must be replatted or resurveyed prior to issuance of a building permit may be approved in the same manner as a change in zoning on unplatted land.
 - (2) 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.

(Ord. No. 85-44, § 1, 11-20-1985)



INTEROFFICE MEMORANDUM FROM THE DEVELOPMENT SERVICES DEPARTMENT

DATE: October 13, 2020

TO: Kyle Teal, Agent

FROM: Elizabeth Taschereau, Director of Development Services

SUBJECT: DRC Agenda Item # 2020-338

DEPARTMENTAL COMMENTS

BUILDING

1. With respect to the rezoning I have no comments. However, while the space was built to the I2 standards of 2015 the building was not approved for that use by Zoning. If the applicant intends to now occupy and operate the business as an I2 occupancy they will need to comply with the code in effect at the time of submittal. Additionally, outside agencies approvals will also be required.

Response: This is the reason behind this application for rezoning to CF-1. The applicant will provide evidence of outside agency approval to the City as a condition of the rezoning request.

FIRE

1. With the zoning proposed the building (if not already installed) will require a fire alarm, fire sprinkler and standby generator.

Response: The building is built to I-2 standards. It has a fire alarm and fire sprinkler system, along with a CO2 detector. The applicant recognizes the requirement for a stand-by generator.

A. AVAILABILITY OF POTABLE WATER

Potable water service is available to serve the needs of the proposed development. The water treatment plant has sufficient available capacity to satisfy the potable water needs of the proposed development as well as those of other developments in the service area which are occupied; available for occupancy; hold active, valid building permits; or have already reserved capacity. Please note that this determination shall not be construed as a reservation of capacity for the development unless a developer's agreement has been executed with the City specifically reserving water treatment capacity.

B. AVAILABILITY OF WASTEWATER TREATMENT AND DISPOSAL SERVICES

Wastewater treatment and disposal service is available to serve the needs of the proposed development. The wastewater treatment plant has sufficient available capacity to satisfy the wastewater treatment and disposal needs of the proposed development as well as those of other developments in the service area which are occupied; available for occupancy; hold active, valid building permits; or have already reserved capacity.

Please note that this determination shall not be construed as a reservation of capacity for the development unless a developer's agreement has been executed with the City specifically reserving wastewater treatment and disposal capacity.

C. TRAFFIC IMPACTS

For the reasons outlined below, we could not conclusively determine whether or not the traffic generated by the proposed development will be safely and efficiently handled by the regional transportation network and local streets.

1. In accordance with Sec. 31-37(a) of the Code, a proposed development shall be presumed to have the maximum impact permitted under applicable land development regulations.
2. Note that paragraph 31-317(b) requires a site plan to be presented when a rezoning application is submitted, and no site plan was included with the application, so this section is not applicable for this review.

Sec. 31-37. - Development presumed to have maximum impact permitted; use of site plan to assess maximum impact.



- (a) For the purpose of implementing sections [31-34](#), [31-35](#), and [31-36](#), a proposed development shall be presumed to have the maximum impact permitted under applicable land development regulations such as zoning regulations and the land use element of the Margate Comprehensive Plan.
- (b) If a site plan is presented when a proposed plat, subdivision resurvey or rezoning application is submitted, it may be used as the basis to assess the maximum impact of the development. In the event that an application for a building permit is submitted which, in the opinion of the building official, provides more intensive uses than those indicated on the site plan or substantially deviates from the approved site plan, the application shall be referred to the development review committee for assessment.

(Ord. No. 85-44, § 1, 11-20-1985)

Thomas A. Hall, Inc.
1355 Adams Street
Hollywood, FL 33019
954-288-4447
tomhall1234@gmail.com

May 31, 2021

Ms. Miryam Jimenez
c/o Kyle B. Teal, Esq.
Buchanan Ingersoll & Rooney PC
One Biscayne Tower
Two South Biscayne Boulevard, Ste. 1500
Miami, FL 33131-1822

RE: Margate Cares for Heroes Traffic Statement (Revised)
Project No. 202027.01

Dear Ms. Jimenez:

On April 27, 2021, Thomas A. Hall, Inc., completed a third traffic statement for a proposed new business plan for this site in the City of Margate, Florida that addressed comments made in the City's review by Mr. Randy L. Daniel, P.E., PMP, CFM, Assistant City Engineer, in a memorandum dated May 17, 2021. This traffic statement was completed to address Mr. Daniel's comments and has been prepared under the engineering supervision of Peter Partington, P.E., former City Traffic Engineer for the City of Fort Lauderdale.

According to the project site plan, the proposed new plan is for an 8,885-square-foot residential rehabilitation facility located at 603 Melaleuca Drive. The prior development is a 10-unit, multi-family apartment building, which was reconstructed to serve as a group care facility in accordance with City-approved permits. The enclosed Figure 1 Site Location shows the location of the proposed project. A copy of the project's site plan is also enclosed.

1. Trip Generation Analysis

In order to determine the traffic impacts associated with the proposed residential rehabilitation facility, an analysis of trips expected to be generated by both the prior and proposed developments was conducted. The majority of the following traffic statement provides the details of the analysis and a summary of the results that compare the prior development with the proposed development. Trip generation characteristics provided in the Institute of Transportation Engineers (ITE) Trip Generation manual, 10th Edition, were consulted and the trips generated by the prior multi-family residential land use (ITE Code 220 Multi-Family Housing, Low-Rise) were calculated, as was the (ITE Code 620 Nursing Home) land use. Note that Nursing Home was selected as the proposed developments land use. The ITE manual does not contain trip generation characteristics for a residential rehabilitation facility. However, nursing homes have similar operational and trip generation characteristics, based upon the description provided in the

Thomas A. Hall, Inc.
1355 Adams Street
Hollywood, FL 33019
954-288-4447
tomhall1234@gmail.com

May 31, 2021

Randy L. Daniel, P.E., PMP, CFM
Assistant City Engineer
City of Margate
Department of Environmental & Engineering Services
901 NW 66th Avenue, Suite A
Margate, FL 33063

RE: Margate Cares for Heroes Traffic Statement – Response to Comments
Project No. 202027.01

Dear Mr. Daniel:

This is in response to those new or remaining comments received from your office on May 25, 2021 and dated May 17, 2021. The comments were shown in red in your document. The comments and our responses follow:

A. Trafficways

Comment 1: New Comment: The Study continues to defend the use of an independent variable that has "the largest and best supporting database" although that variable may not necessarily represent the MAXIMUM impact. Staff comments dated 10/13/2021, in reference to the August 2020 TS indicated that City Code required use of design parameters with MAXIMUM IMPACT. Design parameters with the "most statistical validity" are not controlling. Rewrite or modify this section accordingly.

Response: Comment 1: The analysis has been revised to conform to staff's request.

Comment 7: Comment: Not Completed, although the October TS designation of arterial road for Melaleuca Drive is not used in the April 27 version, the April TS continues to reference Table 4 for signalized arterial roads; Melaleuca Drive is not an arterial road.

Response: All references to roadway capacity or to the FDOT reference materials have been dispensed with in the revised analysis.

New Comment: Redo analysis and delete any reference to table 4; Redo analysis using the percentage of ADT contributed by the project.

Response: Done.

Table 1
Daily Trip Generation - Employees
Margate Cares for Heroes

Land Use	ITE Code	Intensity	Trip Generation Rate ⁽¹⁾	Total Trips			Internal Trips				External Trips			Pass-by Trips		New Trips		
				In	Out	Total	In	Out	Total	%	In	Out	Total			In	Out	Total
Prior Use																		
Multi-Family Housing (Low-Rise)	220	26 residents ⁽¹⁾	$T=1.42(X) (50/50)$	18	19	37	0	0	0	0.0%	18	19	37	0	0.0%	18	19	37
Subtotal				18	19	37	0	0	0		18	19	37	0		18	19	37
Proposed Use																		
Nursing Home	620	31 employees	$T=2.43(X)+68.33 (50/50)$	72	72	144	0	0	0	0.0%	72	72	144	0	0.0%	72	72	144
Subtotal				72	72	144	0	0	0	0	72	72	144	0	0	72	72	144
Net Difference				64	63	107	0	0	0		64	63	107	0		64	63	107

⁽¹⁾2.56 residents per household census data provided by City of Margate staff (10 dwelling units x 2.56 residents = 25.6 or 26 total residents).

⁽²⁾Trip generation rate obtained from ITE Trip Generation manual, 10th Edition.

Table 2
AM Peak Hour Trip Generation - Employees
Margate Cares for Heroes

Land Use	ITE Code	Intensity	Trip Generation Rate ⁽¹⁾	Total Trips			Internal Trips				External Trips			Pass-by Trips		New Trips		
				In	Out	Total	In	Out	Total	%	In	Out	Total			In	Out	Total
Prior Use																		
Multi-Family Housing (Low-Rise)	220	26 residents ⁽¹⁾	$T=0.17(X) (15/85)$	1	3	4	0	0	0	0.0%	1	3	4	0	0.0%	1	3	4
Subtotal				1	3	4	0	0	0		1	3	4	0		1	3	4
Proposed Use																		
Nursing Home	620	31 employees	$T=0.29(X)+4.76 (79/21)$	11	3	14	0	0	0	0.0%	11	3	14	0	0.0%	11	3	14
Subtotal				11	3	14	0	0	0	0	11	3	14	0	0	11	3	14
Net Difference				10	0	10	0	0	0		10	0	10	0		10	0	10

⁽¹⁾2.56 residents per household census data provided by City of Margate staff (10 dwelling units x 2.56 residents = 25.6 or 26 total residents).

⁽²⁾Trip generation rate obtained from ITE Trip Generation manual, 10th Edition.

Table 3
PM Peak Hour Trip Generation - Employees
Margate Cares for Heroes

Land Use	ITE Code	Intensity	Trip Generation Rate ⁽¹⁾	Total Trips			Internal Trips				External Trips			Pass-by Trips		New Trips		
				In	Out	Total	In	Out	Total	%	In	Out	Total			In	Out	Total
Prior Use																		
Multi-Family Housing (Low-Rise)	220	26 residents ⁽¹⁾	$T=0.13(X) (90/10)$	3	0	3	0	0	0	0.0%	3	0	3	0	0.0%	3	0	3
Subtotal				3	0	3	0	0	0		3	0	3	0		3	0	3
Proposed Use																		
Nursing Home	620	31 employees	$\ln(T)=0.65\ln(X)+0.40 (32/68)$	4	10	14	0	0	0	0.0%	4	10	14	0	0.0%	4	10	14
Subtotal				4	10	14	0	0	0	0	4	10	14	0	0	4	10	14
Net Difference				1	10	11	0	0	0		1	10	11	0		1	10	11

⁽¹⁾2.56 residents per household census data provided by City of Margate staff (10 dwelling units x 2.56 residents = 25.6 or 26 total residents).

⁽²⁾Trip generation rate obtained from ITE Trip Generation manual, 10th Edition.

D. SURFACE WATER MANAGEMENT

Analysis and assessment of the surface water impacts could not be performed, as no plan, model, or study of the site in the maximum impact condition was provided.

Response: Below is the positive finding from RESOLUTION NO. 15-010 regarding surface water management. Site conditions are identical today:

(h) There is adequate stormwater management with attention to the necessity of on-site retention to alleviate flooding and ground water pollution without compromising the aesthetics and maintainability of landscaping.

E. STREETS, SIDEWALKS, PUBLIC PLACES

The public sidewalk abutting the south property line of the parcel must be extended to the western limits of the site.

Other streets, sidewalks, and public places appear to be “existing to remain”. They appear to be in good condition and do not appear to be in distress. To the best of our knowledge and understanding, these public improvements were previously constructed under permits from the City. Accordingly, they are deemed to meet the minimum standards set forth in Chapters 31 and 35 of this Code.

Response: The applicant agrees to extending the public sidewalk to the western limits of the site. All other minimum standards are met.

F. WATER DISTRIBUTION SYSTEM

To the best of our knowledge and understanding, the water distribution system meets or exceeds the minimum standards and requirements of the following:

1. Chapter 39 of the City's Code of Ordinances
2. AWWA Standards
3. Broward County Environmental Protection and Growth Management Division

Connection charges and/or impact fees will be determined once the number of beds can be established for the maximum impact condition.

Response: Meets standards. Applicant agrees to pay all connection and/or impact fees based on the number of beds.

F. WATER DISTRIBUTION SYSTEM

To the best of our knowledge and understanding, the water distribution system meets or exceeds the minimum standards and requirements of the following:

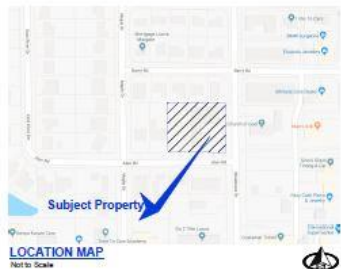
1. Chapter 39 of the City's Code of Ordinances

2. AWWA Standards

3. Broward County Environmental Protection and Growth Management Division

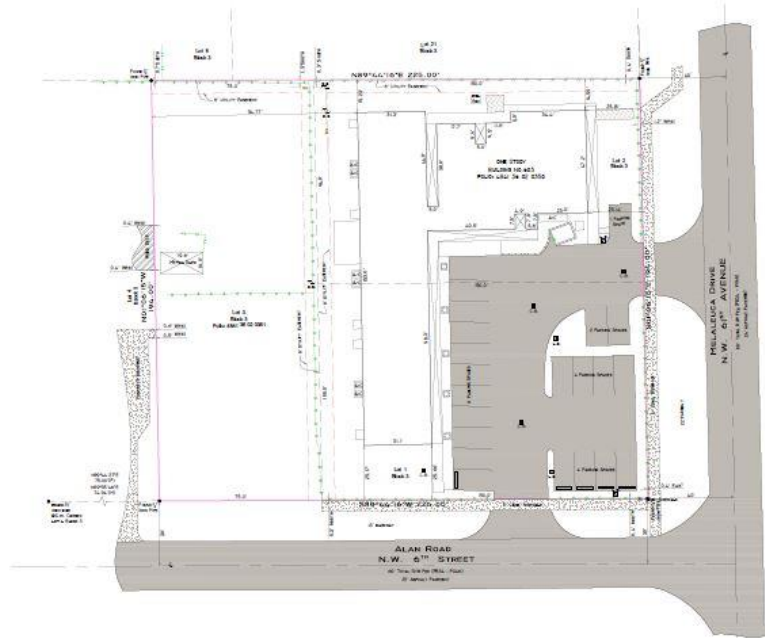
Connection charges and/or impact fees will be determined once the number of beds can be established for the maximum impact condition.

MAP OF BOUNDARY SURVEY



LEGEND & ABBREVIATIONS

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LEGAL DESCRIPTION:
Lots 1 and 2, together with Lot 3, Block 1, HAMMON HEIGHTS SECTION 2, according to the plat thereof, as recorded in Plat Book 34, Page 46, of the Public Records of Broward County, Florida.

SURVEYOR'S REPORT AND GENERAL NOTES
(Not valid without the attached Survey Map)

1. Legal Description has been furnished by the client.
2. References to "Owner," "Owner's" or "Third" refer to documents and instruments of record as part of the pertinent information used for this survey work. Measured distances, directions and angles along boundary lines are in conformity with corresponding values from records, unless otherwise shown.
3. These lands are subject to additional restrictions of record that were not furnished to the undersigned registered surveyor. A site search has not been performed by the surveyor.
4. North arrow direction is based on an assumed Meridian. Bearings are based on an assumed meridian on a well-established line, said line is being noted as BTR on the Survey Map.
5. Only above ground improvements are shown herein. Foundations, underground features and utilities have not been located.
6. Survey markers found in the field have no identification unless otherwise shown. Any survey marker set by our company is labeled BTR 2000 or BTR 2010.
7. Fence ownership has not been determined. Distances from existing fences to boundary lines are approximate. Fenceshade width and conditions must be considered to determine true location. Landscaped beyond perimeter fences might or might not be being used by adjoining. Adjoining parcels have not been investigated.
8. This Survey Map is being prepared for the use of the parties/parties that it is certified to and does not extend to any unnamed individual, entity or assignee.
9. This Survey Map is being prepared for the use of the parties/parties that it is certified to and does not extend to any unnamed individual, entity or assignee.
10. FLOODPLAIN INFORMATION: As noted from Federal Insurance Rate Map (FIRM) of Community No. 130047 (City of Margate), Panel 0205, South 16, revised on August 19th, 2014, the real property falls in Zone "X".
11. HORIZONTAL ACCURACY: Accuracy obtained thru measurements and calculations meets and exceeds the minimum horizontal feature accuracy for a Suburban area being equal to 1 foot in 7,500 feet.

I HEREBY CERTIFY TO:
MMI Financial Services, Inc.
That this Survey conforms to the Standards of Practice as set forth by the Florida Board of Professional Surveyors and Mapmakers in applicable provisions of chapter 45-17, Florida administrative code pursuant to Section 472.027 Florida Statutes. This Survey is accurate and correct to the best of my knowledge and belief.

Odette C. Bello-Lange
Digitally signed by Odette C. Bello-Lange
DN: cn=Odette C. Bello-Lange, o=Odette C. Bello-Lange, email=odette@bello-lange.com
Date: 2023.08.14 10:00:00 -0400

Odette C. Bello-Lange
Professional Surveyor and Mapper License No. 120188, State of Florida
Field Mark Date: 1/1/2023 and 1/2/2023
Survey Sheet Revised (Location Map & Fence at the NE) 02/09/2023

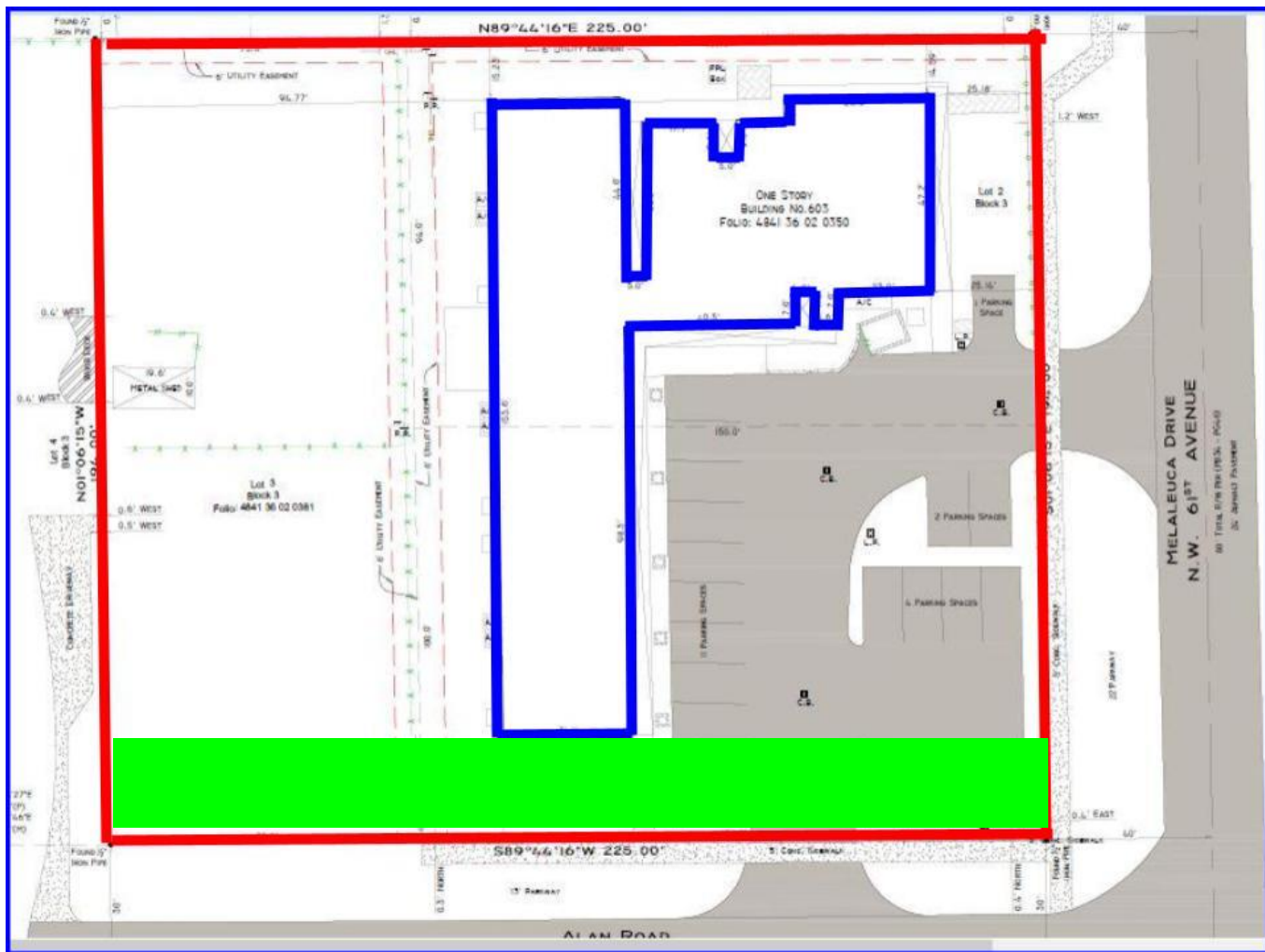
Additional and deviations to this Survey Map are prohibited. This Survey Map and Report are not valid without the signature and original seal set or without the authorized electronic signature and seal of the undersigned Florida Licensed Surveyor and Mapper.

Property Address:
630 Melrose Drive, Margate, Florida 33063
6109 N.W. 8th Street, Margate, Florida 33063
Project No. 20301

BELLO & BELLO LAND SURVEYING
12230 SW 131 AVENUE • SUITE 201 • MIAMI FL 33186
LBH7262 • Phone: 305.251.9008 • Fax: 305.251.6057
email: info@bellolandsurveying.com • www.bellolandsurveying.com









Board Member Comments from June 1, 2021 Planning and Zoning Board Meeting

19 GAIL DeANGELIS: I'm terribly sorry. I'm new
20 to this.
21 So I am in favor of approving this, and I
22 believe the location one block away from Atlantic
23 Boulevard and one block away, one and a half block
24 away from State Road 7 lends itself to change this
25 particular property to the CF.

Board Member Comments from June 1, 2021

Planning and Zoning Board Meeting (DeAngelis continued)

9 I don't see a traffic issue. The sidewalk
10 is really insignificant. If you look in that
11 neighborhood, there are no sidewalks in that whole
12 area, so for the property to extend the sidewalks
13 another 75 feet, that's really irrelevant. And as to
14 bicyclists being interrupted from bicycling on the
15 street, that's because there are no sidewalks in any
16 of this neighboring residential area.

17 And I'm concerned about the maximum parking
18 trips per day. I don't agree that there would be
19 necessarily that many trips per day, one car per five
20 residents, especially noting that this type of
21 facility services people who have some problems that
22 they need to address. I would -- and as to
23 maximizing this property with four stories, maybe in
24 20 years that might be an issue, who knows. We don't

Board Member Comments from June 1, 2021 Planning and Zoning Board Meeting (Acting Chairman Reiner)

4	ROBERT REINER: Okay. I think that a	
5	misconception here is the difference between a recovery	
6	home and a home care facility. You said it, she spent a	
7	lot of money, millions of dollars for this facility,	
8	which by the way, it looks like an estate. It does not	
9	look like a home care far. It is beautiful. I drove	
10	by. It's probably the nicest thing in the neighborhood	
11	next to the purple house next door.	

Board Member Comments from June 1, 2021 Planning and Zoning Board Meeting (continued)

16 ROBERT REINER: Okay. I am going to make a
17 motion to approve the zoning change. Do I have a
18 second?

19 GAIL DeANGELIS: Second.

20 THE CLERK: Okay. Ms. DeAngelis was the
21 second?

22 GAIL DeANGELIS: Yes.

23 THE CLERK: Okay. Thank you. Mr. Angier?

24 TODD ANGIER: Yes.

25 THE CLERK: Ms. DeAngelis?

Board Member Comments from June 1, 2021 Planning and Zoning Board Meeting (Recommendation)

June 01, 2021		60
1	GAIL DeANGELIS: Yes.	
2	THE CLERK: Ms. Van Der Meulen?	
3	JULI VAN DER MEULEN: You know, I'm very much	
4	on the fence here. No.	
5	THE CLERK: I didn't hear you.	
6	JULI VAN DER MEULEN: No.	
7	THE CLERK: Thank you. Mr. Reiner?	
8	ROBERT REINER: Yes.	
9	THE CLERK: Thank you. We have a three-one	
10	motion. Motion has been to recommendation to approve	
11	proceeding to the city commission.	
12	(End of excerpt.)	

Thank you!