



September 23, 2021 (Resubmittal))

City of Margate Development Services Department
901 West NW 66th Avenue
Margate Florida 33063

RE: Springdale Village / Margate Executive Golf Course LUPA
Letter of Intent

To Whom It May Concern;

On behalf of Margate Executive Golf Course LLC, owners of the 20.82-acre subject property, platted as Parcel 3 of Oriole Golf and Tennis Club Section 2 Plat, please find enclosed the professionally prepared land use plan analysis, survey, application fees, and other materials for review. Proposed at this time is a land use plan amendment and rezoning. Following the approval of these applications, a final site development plan will be developed and submitted.

The attached analysis has been amended in response to comments from the City of Margate Development Review Committee which took place on July 27, 2021, together with enclosed responses to each individual comment attached for review.

The Property lies within a City dashed line area and has a land use designation of Commercial Recreation Irregular 7.6. The Owner, along with this request, has submitted a land use plan amendment to change the land use designation of the Property to Residential (10) and modify the dashed line area accordingly to allow for the construction of a maximum of 200 residential units on the Property.

After a pre-application conference with staff, for the sake of forward momentum, the Owner must discuss, and if necessary, request one text modification to the City's Current Land Use Plan.

Specifically, the Residential Use element policy of the City's current Comprehensive Plan provides as follows:

“For each of these developments, the overall density is approximated by the number, which appears in the circle inside the dashed line. The residential parcels herein are shown as net densities, excluding abutting traffic-ways, canals, and open space areas. The use designations within the dashed lines are binding. However, the city may approve a rearrangement of uses or densities, which does not increase the total number dwelling units or decrease the amount of recreational land or increase the amount of commercial land. The density allocations for specific parcels may be increased or decreased by up to 20 percent provided that for any increase in density, these shall be a corresponding unit for unit decrease in the density of another parcel within the dashed line area. However, no such parcel shall exceed 20 dwelling units per net acre unless it is part of a PUD zoning district.”

It is important to discuss the existing language itself, if the interpretation provided by staff is valid, it would mean that a private property owner could not ever request a land use plan amendment if the current use of the property were recreational in nature. A private property owner may certainly apply for a proposed land use map amendment, in accordance with the City's Land Development Code and Comprehensive Plan. Inevitably, people are going to move to Margate, the proposed land use plan amendment will allow for the City to provide residents (new and existing) with an opportunity to have newer housing options. Also, the modification proposed does not impact the overall amount of recreation and open space needed in order for the City to meet its open space level of service requirements from a comprehensive plan perspective.

Please also consider that the paragraph in question could be interpreted to be limited to a desire to redistribute overall densities within a dashed line geographic area, such that the first half of the paragraph is the subject, and the second half is the modifying principle:

“For each of these developments, the overall density is approximated by the number, which appears in the circle inside the dashed line. The residential parcels herein are shown as net densities, excluding abutting traffic-ways, canals, and open space areas. The use designations within the dashed lines are binding.”

Subject Matter: overall densities within a dashed line – reworking those allocations - note that the use designation (residential) of the numerical designation is not being modified.

However, the city may approve a rearrangement of uses or densities, which does not increase the total number dwelling units or decrease the amount of recreational land or increase the amount of commercial land. The density allocations for specific parcels may be increased or decreased by up to 20 percent provided that for any increase in density, these shall be a corresponding unit for unit decrease in the density of another parcel within the dashed line area. However, no such parcel shall exceed 20 dwelling units per net acre unless it is part of a PUD zoning district.”

Modifier: When you are re-arranging allocations of density within the dashed line, you can't do the following.

If read in this light, as the applicant proposes, the existing language requires no modification, in that it does not mean that no one could ever file a comprehensive plan amendment to modify a dashed line density, nor does it prohibit a map amendment to a different category, and this application is not asking to rearrange density allocations within a dashed line area. If the City agrees with this understanding, this text amendment is not necessary, however in the abundance of caution and a desire to move forward the applicant is asking for a text amendment if the interpretation above is not accepted.

In light of our disagreement with the meaning and application of the forgoing language, please provide a legal opinion from the City Attorney that a private property owner, whose property is currently developed as a recreation use, is prohibited from applying for a land use plan amendment.

If it is determined that an amendment to the text of the comprehensive plan is required, we propose the following:

“For each of these developments, the overall density is approximated by the number, which appears in the circle inside the dashed line. The residential parcels herein are shown as net densities, excluding abutting traffic-ways, canals, and open space areas. The use designations within the dashed lines are binding. However, the city may approve a rearrangement of uses or densities, which does not increase the total number dwelling units or decrease the amount of recreational land or increase the amount of commercial land. The density allocations for specific parcels may be increased or decreased by up to 20 percent provided that for any increase in density, these shall be a corresponding unit for unit decrease in the density of another parcel within the dashed line area. However, no such parcel shall exceed 20 dwelling units per net acre unless it is part of a PUD zoning district.”

For your use in consideration of a land use plan amendment, the applicant is attaching a full analysis in support of the request, summarized below:

3.1 Availability of Sanitary Sewer service: Per Policy 2.2.2 of the comprehensive plan the adopted level of service is 335 gallons per day per equivalent residential connection. Please see the attached analysis demonstrating that the design capacity of the City's wastewater treatment plan is 12.1 million gallons per day (MGD) and is operating at 10.01 MGD, with a current demand of 6.5 MGD, the proposed project can be accommodated within the existing capacity and meets Policy 2.2.2 in terms of staying within the adopted level of service standard.

3.2 Adequate Public Facilities: Please see the attached formal analysis demonstrating compliance with water, sewer, traffic, solid waste, etc. based on the maximum impacts generated from the proposed land use plan amendment.

3.3 Consistency with public school facilities: Please see the attached letter from the Broward County School Board toward this end.

3.4 Impacts to open space, storm water retention, natural resources, environmental contamination, and connections to existing pedestrian infrastructure. Please refer to the attached analysis of open space, storm water retention, and the other aspects listed above, and note that a concept plan is provided for reference and input on ways in which existing connections can be utilized or improved.

3.5 Affordable Housing Supply: attached.

3.6 Wetland Resources: There are no observed wetlands on site.

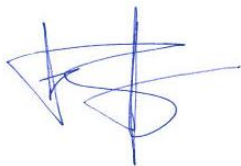
3.7 Potential impacts to Historic, and Archeological resources: The project site has no known historic or archaeological resource impacts created by a redevelopment plan.

Pursuant to Section 19.13, the following professionals are associated with this project:

- a) Mark Rickards, AICP
- b) Omar Kanaan, PE
- c) Hope Calhoun, Esquire

With the forgoing in mind, the Owner respectfully requests that the requested amendment be approved.

Best Regards;



Mark Rickards, AICP

Cc: File