

DEPARTMENTAL COMMENT RESPONSES (LUPA)

BUILDING

1. No comments.

FIRE

Provide secondary means of access for emergency use.

Response: Attached is email correspondence and notes from January 13, 2021 from a preliminary meeting with the City of Margate, in which Andrew Pinney states :

“David Scholl of the Margate Fire Department indicated during the meeting that the development could have a single entrance off of Margate Blvd if certain design criteria were met, such as lane width, turn-around areas for apparatus, fire hydrant spacing, etc.”

We agree that a formal site plan application would need to demonstrate compliance with applicable fire codes. The conceptual site plan attached as an exhibit to the LUPUA analysis was provided to indicate a potential arrangement of units has been provided to demonstrate that the desired density can be developed on the existing parcel, but a formal site plan application is not part of this LUPA request.

PUBLIC WORKS

1. On the site plan it seems the developer is constructing over the existing drainage easement and not relocating the canals that are part of the areas canal system to control any flooding.

Response: Thank you for this comment. Please see the attached conceptual site plan that has been modified slightly to help clear up any misconceptions, as we agree that there are some existing drainage and flowage easements (as shown in Plat Book 78 Page 21) and existing water bodies which do not overlap this platted easement. While the conceptual site plan is intended to convey a potential layout, to address any concern about the proposed density being achievable on site, it was not meant to imply that the drainage and flowage easement would be abandoned or that any existing flowage from neighboring properties through the subject site would be blocked. There may be some coordination needed at such time as a formal site plan is proposed, which will require additional discussions about advantageous ways to re-route drainage and flowage, and accomplish the storage and pre-treatment needed to achieve a drainage permit approval. (Page 51)

2. Kimley-Horn revised letter dated June 21, 2021, 3.4 on page 4 mentions stormwater retention. I would like to see how they intend to relocate the canals. This document seems to repeat itself 3 times.

Response: Please review the attached revised analysis which seeks to explain how the project will achieve a drainage permit, with an emphasis added, along the lines of the response to comment 1 above, that no blockage of flowage is proposed. While it would

be premature to refine this plan to a stage where a formal site plan application could be reviewed, additional explanation has been provided regarding the general means and methods that will be used to accomplish the storage and treatment requirements of the drainage district, which may include the creation of, or modification of, existing water bodies, canals, and the preservation of drainage and flowage transmission through the subject property. (Page 15)

3. The land use plan amendment application needs to have attachment J from Broward County updated to reflect what the developer is actually requesting be constructed. This also will need to show how the 30- foot drainage easement will be maintained or relocated.

Response: The project team has attached an updated Broward County Exhibit J. Please note that position of the County has not changed from 2019, in that the surface water management licensing program could issue a license for the project so long as the project can demonstrate compliance with Chapter 27 Article V and the SFWMD requirements. In addition, and relevant to the comment stated above, the County will require the relocation of drainage easements including flowage responsibilities outlined on the plat, together with a stormwater analysis upstream and downstream of the proposed project as part of their review. The applicant is not asking for any relief from drainage requirements, nor any change to platted flowage easement rights through the subject property. (Page 46)

POLICE

1. No comments.

ENGINEERING

The Director of the Department of Environmental and Engineering Services (DEES), or his qualified designee, has conducted a review of the submitted documentation in accordance with Article IV, Chapter 31 of the City of Margate is Code of Ordinances and finds the following:

PREAMBLE (applicant notes below in bold)

The applicant is requesting to change the land use of the Margate Executive Golf Course from Commercial Recreation to Residential R (10) to allow construction of 200 townhouse units on the property. According to the analysis submitted, the property currently allows for 92 new units, but the applicant is requesting to build additional 108-townhouse units for a total of 200 units. **Note that the applicant has removed any indication as to the type of units, simply referring to ‘residential’ units in all cases, the desired, or ultimate, unit type has not been identified.**

To construct the project, the applicant is proposing to fill in ponds and canals. **This is not accurate; the conceptual plan is provided to demonstrate how 200 units might be arranged on sight, not asking for approval of a specific relocation or modification to the existing water bodies.** These ponds and canals are an integral part of the drainage collection system for the area and are connected to the canal system north of the property. As a result, any modification of the canal section on the Margate Executive Golf Course may affect

properties north of the development. **We agree; and again there is no request to block off or modify the existing flowage or drainage conveyance through the property, when a specific site plan package is prepared, we agree that existing easements and flowage need to be taken into consideration together with site layout elements that may arise during the review and hearing process discussing this land use amendment, and will benefit from the same.**

The entire canal system that flows through the golf course ultimately discharges to the C 14 canal, south of the Margate Executive Golf Course. A detention pond also exists on the Golf Course, which serves to regulate stormwater discharge to downstream communities. **Note that there is no part of this application that is requesting a change in upstream or downstream flowage, and we recognize that when a specific site plan is prepared, this will need to be addressed. Broward County is also aware of this (see attachment J).**

The Margate canal system and detention and retention ponds serve to efficiently hold and discharge stormwater and subsequently reduce the occurrence of flooding in the City of Margate. The critical resources of canals and ponds that exist on the Margate Executive Golf Course cannot be abandoned and the developer must demonstrate how these resources will be rerouted or altered. The developer shall analyze the impact of realigning and or rerouting the canal on upstream and downstream communities. A thorough engineering analysis that includes computer modelling shall be required to demonstrate the impacts of altering the canal.

Again, the possibility of hydrology studies and potential benefits of modeling will be discussed at the site plan stage. Filling of the lakes and canals will change the FEMA flood zone designation and a letter of map change (LOMC) will be required.

A. TRAFFICWAYS

1. For road segments that are categorized as LOS F, the developer shall demonstrate how these segments will be further impacted, and further demonstrate how these impacts will be mitigated.

Response: The applicant is proposing a Land Use Plan Amendment and has prepared a transportation analysis as required by Broward County, such that the County review can occur following City action. In the case where there are roadway segments that currently operate at Level of Service F, there is not a prohibition of any development whatsoever, which would be unreasonable. The requirement is to demonstrate that the proposed change in land use does not contribute external trips in excess of 3.0 percent (3.0%) of a failing roadway's maximum service volume. In this case, the proposed amendment is not expected to add more than 0.6 percent (0.6%) of the service volume of the currently failing segments which is not significant, or to use the term in the attached analysis, de minimis. Note that at the time of a specific site plan, an updated analysis will need to be performed. The role of the transportation analysis attached to this application is to provide a professional engineer's review of the existing and proposed intensity, and to quantify whether the delta/change is under the 3% threshold, and this application has done so. (Page 55)

2. Apply new development trips on the background growth rate that is provided in Tables 10 and 12 and demonstrate what will be the anticipated LOS after the project is completed.

Response: Tables 10 and 12 of the analysis include the anticipated background growth and development trips. As shown, the proposed amendment is not expected to add more than 0.6 percent (0.6%) of the service volume of the currently failing segments. (Page 60)

3. Illustrate how traffic ingress and egress to/from Margate Boulevard is proposed to occur. If a signalized intersection will be considered show what associated modifications will be required on Margate Boulevard.

Response: Please note that a conceptual site plan has been provided to demonstrate that the desired density can be developed on the existing parcel, however, a formal site plan application is not part of this request. There are potential cross access points with neighboring properties, and there is also the opportunity to ultimately design with a single ingress/egress point on Margate Boulevard, neither of which are being defined or requested at this stage. Note that at the time of a specific site plan, an updated analysis will need to be performed. (Page 52)

4. Provide details as to the number of residents expected to walk or use public transportation and illustrate associated walking distances and paths to bus stop(s).

Response: US Census *Journey to Work Data* indicates that approximately 7.8% of residents in the vicinity of the proposed amendment walk or use public transportation to and from work. (Page 63)

5. Provide additional details to support how a trip count of 99 new trips was derived.

Response: The Institute of Transportation Engineers' (ITE) Trip Generation Manual, 10th Edition, was used to calculate the project's trip generation potential. Detailed calculations are included in Exhibit R of the analysis. (Page 94)

6. For trips that exceed 500, a traffic impact study shall be performed for intersection and road segments within a one-mile radius of the site perimeter.

Response: Not applicable, as the amendment is not anticipated to exceed 500 trips. (N/A)

B. POTABLE WATER AND WASTEWATER

Potable Water

1. The submitted analysis incorrectly calculates the net change in potable water

demand as 0.022 MGD. Although the request is to build 200 townhouse units, the calculations are for only 108 townhouses. Please redo calculation for a total of 200 new townhouses.

Response: As discussed at the DRC meeting, the proposed total potential units would be 200 residential units (which are not being identified as townhomes specifically) following approval of the land use plan amendment application, but the analysis required is only for a change in land use to addresses the change in density for the difference between the increase created by the change in density. At this stage of development, the applicant must demonstrate that the proposed density falls within an acceptable level of service for water and sewer, and the calculations provided demonstrate that. (Page 10)

2. DEES calculations suggest that the demand for potable water ought to be around 0.067 MGD and not 0.022 MGD. Redo water and sewer analysis.

Response: Please find the revised analysis per this comment in the attached narrative. (Page 10)

3. Provide an analysis of the existing 12" Asbestos Concrete (AC) distribution main that will supply the development and determine its adequacy based on the additional demand.

Response: *Comprehensive Plan Policy 1.11 provides: "...adopted land development regulations shall continue to provide conditions which must be met by all proposed development prior to platting or site plan approval, which includes minimum standards for first floor elevations, soil compatibility, drainage and storm water management, open space and parks, signage, on-site parking, internal traffic flow and traffic circulation as specified within the adopted Traffic Circulation Element."*

The comprehensive plan clearly acknowledges that there are conditions which are appropriate to review of a proposed plat and/or specific site plan, which includes drainage calculations, specific utility design, and existing facilities adjacent to the site, including an analysis of the 12" main, which may be at the end of its useful life, or may be sufficiently sized for the specific site plan that is filed for review. Timing of this analysis should coincide with the site plan and/or plat applications. (N/A)

4. The 12" AC pipe that is located on Margate Boulevard is at the end of its useful life and will need to be replaced.

Response: Please see the comment response above. (N/A)

Wastewater

1. Provide Engineering analysis to demonstrate that the existing 12" VCP collection

sewer main has the capacity to service the new 200-townhouse development.

Response: Please review the attached analysis; aimed at satisfying the question of whether the wastewater treatment plant has capacity for a maximum potential additional capacity associated with the increase in residential density. The project specific site plan will need to provide additional analysis in terms of point of connection, existing conditions of infrastructure associated with the project including the sewer main, and existing lift station. This also provides the benefit of tying that analysis closer to a site plan approval and construction, at which time the conditions and assessment of facilities would need to be re-done in any case to verify existing efficiencies or lack thereof. (Page 12)

2. Provide Engineering analysis of the receiving lift station (L.S 24) to determine surplus capacity for the additional flows.

Response: Please see the response to #1 above. (Page 12)

- 3 If surplus capacity is unavailable, the developer shall demonstrate how sewage collection and disposal will occur.

Response: The capacity being discussed in the attached analysis is tied to the wastewater treatment plant, not specific lift station and/or sewer mains. (Page 12)

C. DRAINAGE

1. The lake and canal system are in an AE Flood Zone. The Base Flood Elevation (BFE) is this AE zone is 11.00 feet.

Response: Acknowledged. (N/A)

2. Demonstrate that there will be no impact to filling in the existing lake and canal.

Response: As stated above, there is no request to block off or modify the existing flowage or drainage conveyance through the property, when a specific site plan package is prepared, we agree that existing easements and flowage need to be taken into consideration together with site layout elements that may arise during the review and hearing process discussing this land use amendment, and will benefit from the same. (N/A)

3. Provide details of how the existing drainage facilities will be abandoned to allow construction.

Response: The project is not at the design stage, which is to say it is premature to take a position on existing water bodies and drainage facilities, in terms of which ones will be redesigned and which ones may be impacted. (N/A)

4. Demonstrate how the impacts to drainage systems that discharge into the existing lake will be managed
5. Provide a stormwater analysis to illustrate how water quality will be achieved
6. Provide a hydraulic analysis to demonstrate that filling in the lake, realigning, and rerouting the canal will not result in higher flood levels nor otherwise create negative impacts on communities upstream and downstream of the project.
7. Provide a hydraulic analysis to demonstrate that filling in the lake, realigning, and rerouting the canal will not result in higher flood levels nor otherwise create negative impacts on communities upstream and downstream of the project

Response: For comments 4-7, the preparation of a specific and detailed site plan package will need to include careful consideration of the existing drainage and flowage rights, a geotechnical report on soils to establish a percolation rate, and review a project design that benefits from the community input during this land use plan process, feedback from neighbors, and a design that incorporates all the requirements from the drainage authority in terms of existing and proposed facilities and design, such that a drainage permit can be achieved. (N/A)

D. FLOODPLAIN

The canal that flows through the property is in a FEMA flood Zone AE (11.00 feet). The open space that was provided is contiguous with the canal and is in a Shaded X flood zone.

Filling of the lakes and canals may change the FEMA flood zone designation and a letter of map change (LOMC) may be required based on the altered ground elevations after engineered fill is placed.

Any alteration or relocation of the canal should not increase the community's flood risk or those of any adjacent community, or any community upstream or downstream. The altered or relocated channel shall have at a minimum the carrying capacity of the original channel.

After altering a channel, the developer may be required to assume responsibility for maintaining the capacity of the modified channel in the future.

Federal, State, and local surface water management district permits may be required for any alteration or relocation activity.

Response: The preparation of a specific and detailed site plan package will need to include careful consideration of the existing drainage and flowage rights, a geotechnical report on soils to establish a percolation rate, and review a project design that benefits from the community input during this land use plan process, feedback from neighbors, and a design that incorporates all the requirements from the drainage authority in terms of existing and proposed facilities and

design, such that a drainage permit can be achieved. (N/A)

E. SOLID WASTE

The developer shall consult with the city's solid waste contractor to determine their requirements to service this development.

Response: Please find attached the correspondence from Waste Management confirming their capacity to serve the project at a maximum intensity of 200 residential units. (Page 44)

F. RECREATION

Show what recreational facilities and open space will be provided to service 200 new townhouses.

Response: Please review attached conceptual site plan, provided for reference only, which has been modified to show some potential locations of open space and amenities on site, and does not specify townhomes as the unit type. (Page 2)

DEVELOPMENT SERVICES

After review of the above referenced DRC application, the Development Services Department has provided the following comments and advisory notes. Comments require a written response from the applicant and correction(s) to the application. Advisory notes are provided as a statement of fact.

ADVISORY NOTE 1: This application is for a land use plan amendment and is therefore subject to the requirements of Chapter 31 of the Code of the City of Margate as well as Plan Implementation procedures described in Element I of the Margate Comprehensive Plan.

Response: Acknowledged.

Subject Property:

The subject property is a ~21.3-acre site located at 7870 Margate Blvd. The subject property is a 9-hole executive golf course with a peculiar zig-zag shape, such that it is relatively narrow, and juts back and forth as it weaves into and around adjacent developments. The subject property is bounded to the north by Oriole Margate VI (Residential, 4 units per acre), Margate Boulevard, and Garden Patio Villas (Residential, 7-units per acre). The subject property is bounded to the east by Garden Patio Villas (Residential, 7-units per acre) and Oriole Gardens Phase II (Residential, 17-units per acre). The subject property is bounded to the south by Oriole Gardens Phase II (Residential, 17-units per acre). The subject property is bounded to west by Oriole Margate VI (Residential, 4 units per acre) and Oriole Gardens Phase II (Residential, 17-units per acre). The subject property is located within the S-1 Recreational zoning district, has an underlying land use designation of Commercial Recreation, and within a Dashed-Line Area that is limited to an overall average residential density of 7.6 units per acre. The subject property is designated as "Recreation and Open Space" in the BrowardNext Land Use Plan.

COMMENT 1: This Land Use Plan Amendment (LUPA) application incorrectly identifies the

current zoning designation as “R3A-MULTIPLE FAMILY DWELLING” on the DRC application form.

Response: Application has been updated. (N/A)

COMMENT 2: Section 1B of this LUPA application indicates the Local Government Contact is Elizabeth Taschereau, AICP. Remove the AICP designation from Ms. Taschereau’s name. Insert the word “Services” between Development and Department.

Response: Application has been updated. (N/A)

COMMENT 3: Section 2D, on page 7, of this LUPA application indicates that the acreage of the dashed line area where the subject property is located is 109.8 acres, and points to a letter issued by the Broward County Planning Council as Exhibit A. This letter, dated January 31, 2019, was written by Barbara Blake Boy, Executive Director, was sent to Cynthia Pasch, with copies sent to the Margate City Manager and Development Services Director.

The original letter included a graphic exhibit enclosed with the letter. This graphic exhibit was not included with applicant’s Exhibit A. The graphic exhibit included with the letter clearly showed that the BCPC acreage determination included land outside the jurisdictional limits of the City of Margate, and thus the acreage presented in the letter is inaccurate. Staff verbally advised Mark Rickards, AICP of the inaccuracy of this letter on June 10, 2021, but the applicant chose to proceed with the BCPC letter, and omit the attachment.

The BCPC letter also clearly states on page 2, “Planning Council staff notes that this calculation is based on the information that you provided and that the information should not be utilized for official purposes unless independently accepted by the local government.” The City of Margate finds this acreage determination unacceptable.

Response: Please find revised BCPC correspondence attached. (Page 31)

COMMENT 4: Section 2D, on page 7, of this LUPA application includes, “The Applicant’s Development Plan for 200 townhouse units was designed with consideration given to the surrounding residential areas so that the resulting development will be compatible with the uses and densities in the surrounding area.” Please elaborate design elements and efforts for compatibility. The applicant’s rationale points to residential developments to the south and east while ignoring the single-family neighborhood contiguous to the west and north sides of the subject property. The single-family neighborhood to the west/north as well as the multi-family villas to the east/north are both single story developments, which raises compatibility concerns when compared against the multi-story multifamily development proposed by this application.

Response: The proposed residential development serves as an excellent transition between the existing residential developments that surround the project in proximity to the existing commercial uses in the area. Furthermore, the site plan, once completed will provide for a code compliant suitable buffer (which would supplement in cases the existing significant fencing and landscaping on adjacent properties) between uses which will serve to provide more privacy to the existing residential units. Its worthy of discussion to note that where there are existing residential development parcels with no buffer, and no landscaping with the exception of sod, that lack of buffer material on the adjacent properties, it is assumed to

comply with the landscaping rules in place at the time of their construction. Additionally, note that there exists today instances of multi-story and single story residential development adjacent to each other in proximity to this project which do not contradict the Margate Land Development Regulations. (N/A)

COMMENT 5: Section 2D, on page 8, of this LUPA application includes, “To the extent that the shopping center is revitalized, it could result in fewer trips on Rock Island Road and beyond by keeping some commercial activities limited to the nearby shopping center. Vehicle trips could even be eliminated if people choose to walk to the shopping center.” Elucidate exactly how building 200 new homes in a suburban setting, near the terminating point of a dead-end road, will reduce traffic on nearby arterial roads; cite sources.

Response: Pursuant to relevant trip data analysis, it is anticipated that the Applicant’s project will generate less than 100 new trips. Furthermore, the project will be designed in a manner to create a sense of pedestrian connectivity between the proposed project, and neighboring properties including the pedestrian sidewalk on Margate Boulevard. (Page 57)

COMMENT 6: Section 3A, on page 8, of this LUPA application indicates that the net acreage of the subject property is 21.3 +/- acres, and the gross acreage of the subject property is 22.0+/- acres. The application form submitted by applicant indicates the acreage of the subject property is 20.82 acres. Provide a signed survey that indicates both net and gross site acreage.

Response: Find signed and sealed survey attached with accurate acreage provided. (Page 36)

COMMENT 7: Section 4C, on page 9, of this LUPA application fails to recognize the single-family homes adjacent to a portion of the north property line. The shopping center to the east is not adjacent to the subject property. This section incorrectly identifies townhomes to the east, these are single story villas, which is a type of multi-family.

Response: The adjacent parcels have all been correctly identified. (N/A)

COMMENT 8: Section 4D, on pages 9, of this LUPA application indicates that 92 dwelling units are available within the Dashed Line Area. This is incorrect, as it is based on the inaccurate acreage determination described above in Comment 3. Further, increasing the average density to 8.6 will not provide sufficient dwelling units to build the requested 200 new units. Corrections are required throughout the application.

Response: The application has been updated with the correct information. (Pages 10 through 27)

COMMENT 9: Section 5, on pages 10 through 27, of this LUPA application provides a flawed analysis based on 108 new townhouses. The assumed acreage of the dashed-line area is incorrectly stated as 109.8 acres and thereby the amount of available units assumed is incorrect, thus the impact analysis based on 108 new units is incorrect. Any citation of the “City of Margate Code of Ordinances” shall include the appropriate chapter and section numbers. Further, no mitigation strategies have been offered.

Response: Corrections have been made throughout and proper code sections cited as

required.

COMMENT 10: Exhibit K of this LUPA application is not an “up-to-date inventory of municipal community parks” as required by Section 5E2 on page 17 of this LUPA application.

Response: Please find the previously provided park inventory attached, the applicant has requested additional data if available, as there have been no changes in park inventory that we are aware of. (Exhibit K, Page 48 through 50)

COMMENT 11: Section 6F, on page 28, of this LUPA application requires the identification of protected wildlife species and depiction of the habitat locations on a map. The response acknowledged the presence of burrowing owls but did not include a map.

Response: Please find enclosed a revised narrative regarding section 6F, and attached to this comment response letter we are providing an exhibit indicating known burrow locations, note that these burrows are created and abandoned throughout the year, as the burrowing owl habitat is far reaching, favoring open prairie / cleared areas such as the FPL transmission line easement running through Margate, swale areas, and other areas with limited understory plantings. The map is intended to reflect existing locations, and to acknowledge that, similarly to any development parcel in Margate that has been cleared, proper and lawful care will need to be taken prior to redevelopment activities. (Attached Exhibit 1, Page 22)

COMMENT 12: Exhibit M, starting on page 58 of this LUPA application, has a number of issues.

- The author of the analysis is not identified. Identify author and explain how the author is qualified to provide such an analysis.

Response: Please find author information and identification provided on the revised Exhibit M. (Exhibit M, Page 54)

- Part A1 asks for the roadways impacted by the proposed amendment and for the applicant to identify the number of lanes, current traffic volumes, adopted level of service and current level of service. The response provided only identifies three roads and fails to correctly identify adopted level of service. A trip distribution model is referenced in this analysis, and said model identifies 13 roads, indicating that trips will be distributed on nine of them. Response is incomplete. This analysis incorrectly identifies the exhibit number for this model.

Response: The provided response to part A1 provides the requested information in the discussion and in Table 1. Furthermore, the analysis was prepared for roadway segments that are expected to serve a significant proportion of project traffic. The requirement is to demonstrate that the proposed change in land use does not contribute external trips in excess of 3.0 percent (3.0%) of a failing roadway's maximum service volume. Therefore, the analysis only include segments along the identified roadways directly adjacent to the project site. This is the appropriate response. (Exhibit M, Page 53 through 66)

- Response to A3 incorrectly identifies acreage of the dashed-line area and confuses site density with average density. The analysis indicates that it relies on the Institute of Transportation Engineer's (ITE) Trip General Manual, 10th Edition. Where in the ITE 10th edition does it allow for a multi-modal trip reduction factor within a single use townhouse development situated in a suburban setting?

Response: Multimodal trip reduction factors are based on the availability of transit routes in the vicinity of a project as well as US Census data identifying the expected number of residents that walk, bike, or use transit. Unlike internal capture reductions, the fact that the project is comprised of a single use does not impact the eligibility of applying a multimodal trip reduction factor. (Exhibit N, Page 68 to 81)

Please explain how peak hour trips are expected to be reduced on Margate Boulevard, east of NW 80th Avenue, in 2040. Margate Boulevard terminates at NW 80th Avenue.

Response: As described above; there are no improvements on Margate Boulevard which directly arise from the transportation analysis attached, while this comment may be appropriate at the site plan stage, the de minimus impacts of the land use amendment do not indicate a need to address Margate Boulevard. The peak hour volumes used in the analysis are provided by Broward Metropolitan Planning Organization (MPO). (Exhibit M, Page 60)

- Part B1 asks for transit routes within 1/4 mile. Report incorrectly identifies routes on Atlantic Boulevard.

Response: Atlantic Boulevard is within ¼ mile of the project site, and is a Broward County Transit Route.

- Response to part B2 continues to incorrectly assert that the subject property is within 1/4 mile of BCT bus routes and inner-city shuttle routes on Atlantic Blvd.

Response: Atlantic Boulevard is within ¼ mile of the project site, and is a Broward County Transit Route.

COMMENT 13: Exhibit P, starting on page 70 of this LUPA application, is not the most current letter, and indicates a proposed development of 180 townhouses, rather than the 200 stated throughout the rest of this application.

Response: Exhibit P correctly identifies the number of units agreed to at the DRC meeting that need to be evaluated. (Exhibit P, Page 90)

COMMENT 14: Exhibit Q, starting on page 72 of this LUPA application, repeats Exhibit P, SBBC letter issued December 17, 2018, rather than providing Trip Generation Calculations as indicated by the title of the exhibit.

Response: Exhibit Q has been updated. (Exhibit Q, Page 92)

COMMENT 15: Exhibit R, starting on page 74 of this LUPA application, fails to identify AM

peak hour trips and daily average trips.

Response: Exhibit R has been updated. (Exhibit R, Page 94)

COMMENT 16: Exhibit R, starting on page 79 of this LUPA application, is listed twice for different exhibits. The second Exhibit R fails to identify the subject property on the map and fails to identify acronyms used.

Response: The appropriate exhibit has been properly labeled and attached. (Exhibit R, Page 94)

COMMENT 17: Response to Part 5E5, on page 20 of this LUPA application references a Phase I environmental site assessment report as Exhibit M, however no such report was included with this application. As noted above, Exhibit M is a problematic transportation analysis.

Response: References to the Phase I ESA have been removed from this document. With regard to Exhibit M, please provide clarification on the problematic elements. (n/a)

COMMENT 18: Response to Part 5E5, on page 19 of this LUPA application, fails to adequately address Policy 2.5.5a. In what way will this project mitigate the loss of recreation and open space in the surrounding neighborhood?

Response: Part 5E5 has been updated. According to the inventory analysis the City has abundant recreation and open space to accommodate existing and future Margate residents. (Exhibit K, Page 49 to 50)

COMMENT 19: Response to Part 5E5, on page 20 of this LUPA application, fails to adequately address Policy 2.5.5e. The conceptual master plan provided shows new buildings blocking two of the best potential connection points to adjacent private residential developments. No cross-access agreements, nor access easement dedications, with adjacent properties have been provided. This proposal appears to encourage isolation and sprawl which contradicts Policy 2.5.5.

Response: Part 5E5 has been updated. It is not appropriate to define access easements in connection with a conceptual plan. With that said, the applicant is not against same. (Exhibit L, Page 52)

COMMENT 20: Response to Part 5E5, on page 20 of this LUPA application, fails to adequately address Policy 2.5.5b. A tree survey of the property has not been provided. This survey would identify tree canopy and historic trees on the subject property.

Response: Part 5E5 has been updated and a tree survey provided. (Exhibit C, Page 37)

COMMENT 21: Response to Part 5E5, on pages 18-19 of this LUPA application, fails to adequately address Policy 2.5.4. Response indicates that the conceptual master plan lays out the project on site and depicts the provision of recreation and open space. No such areas are spatially identified on the conceptual master plan.

Response: The provided conceptual plan, which indicates a generalized layout, does

show open space areas, buffer areas, potential roadway layouts, and acknowledges that all development must comply with R-3 regulations when a formal site plan is submitted. Additionally, are you referring to Margate 2.0 with the Policy reference? Additional clarification is requested. (Exhibit L, Page 52)

COMMENT 22: Response to Part 7, on page 29 of this LUPA application, is illogical and incorrect. Response acknowledges that affordable housing is required for amendments adding 100 or dwelling units, notes that this amendment is seeking 108 additional units, and then concludes that affordable housing analysis is not required.

Response: Part 7 has been updated and an affordable housing study has been provided. (Exhibit T, Page 110 through 113)

COMMENT 23: Response to Part 8, on pages 29-30 of this LUPA application fails to acknowledge the fact that those high-density developments are buffered by the vast open spaces of golf courses, including the subject property. Redeveloping this golf course to moderately dense residential would drastically alter the community character of the area by removing open space and recreational opportunity in the neighborhood. This response is misleading toward the current adjacent uses. It describes an age restricted (55+) condominium being adjacent to single-family, therefore the proposed townhouses would be compatible. The condominiums that abut the single family have buildings oriented such that the narrow side of the rectangular buildings face the single-family homes, thus reducing visual impacts and privacy concerns. That condominium development abuts a total of five single-family home sites, whereas applicant proposes building townhouses along 16 individual sites of single-family homes. The conceptual master plan has the townhouses oriented with the broad side of the rectangular buildings facing the backyards of those single-story houses, which presents the greatest visual impacts and loss of privacy.

This response indicates that recreation amenities will be provided, yet, the conceptual master plan does not depict any recreational areas. This response incorrectly identifies an adjacent development as townhouses.

Response: The R-3 District is listed as Low-Density Multiple Dwelling in Section 5.1. The maximum density requested of 200 units would equate to roughly 10 units per acre. This density is reasonable and appropriate to the surrounding uses. The attached conceptual plan is provided for clarity purposes, not for review as a formal site plan application. The subject property, it is acknowledged, must prepare and submit a formal site plan which meets and/or exceeds the property development regulations in place at the time of the submittal. Under the current zoning, there is development potential that would also be adjacent to age restricted residential buildings, there has not been a site plan application submitted defining height or asking for a two-story product. The proposed project is compatible with the existing developments as it adds to the residential stock in the city by providing an additional housing option to the existing and future residents in the City of Margate. Comment 23 seems to say that a residential use cannot be compatible with the surrounding residential uses without providing specific concerns for reference in a future submittal of a specific site plan. (Exhibit L, Page 52)

COMMENT 24: Response to Part 12, on page 31 of this LUPA application describes the

development plan as 188 townhouses. Every other reference in this application seems to be for 200 townhouses.

Response: The LUPA application has been updated to be consistent throughout with 200 residential units, deleting any specific mention of townhouses per se to avoid confusion. (Exhibit A, Page 31)

Response argues that this development is consistent with “Smart Growth” policies. Policies 2.20.1 through 2.20.17 of BrowardNext apply Smart Growth principles. Staff disagrees with applicant’s position that the redevelopment is consistent with promoting Smart Growth, based on the following:

POLICY 2.20.4 Broward County shall promote and encourage, and shall implement to the maximum extent feasible where appropriate for those (re)development projects and lands owned by the County or within unincorporated areas, **the preservation and creation of open space**, areas of natural beauty, community gardens and similar uses, designed on an urban scale and suitable for an urban mixed use neighborhood, for perpetual public use.

Response: The referenced policy speaks to property owned by Broward County, or in unincorporated areas. This property is owned by a private party; therefore, this policy is not applicable. (N/A)

The proposal is to redevelop 21.3 acres of recreational open space into townhouses. This is the opposite of preserving and creating open space for perpetual public use.

POLICY 2.20.6 Broward County shall promote and encourage, and shall implement to the maximum extent feasible for those (re)development projects and lands owned by the County or within unincorporated areas, mixed land uses serviced by a variety of transportation modes within an integrated transportation network, and link intensive development to existing or planned pedestrian, bicycle and public transportation nodes or corridors.

Response: The referenced policy speaks to property owned by Broward County, or in unincorporated areas. This property is owned by a private party and I slocated within the municipal boundaries of Margate; therefore, this policy is not applicable. (N/A)

POLICY 2.20.7 Broward County shall promote and encourage, and shall implement to the maximum extent feasible for those (re)development projects and lands owned by the County or within unincorporated areas, the **creation of walkable sites, neighborhoods and community designs that are accessible to and address the needs of all users and support healthy lifestyles using public venues, inclusive of all modes of transportation in a manner generally consistent with the Broward Complete Streets Guidelines**, or equivalent principles.

Response: The referenced policy speaks to property owned by Broward County, or in unincorporated areas. This property is owned by a private party and I slocated within the municipal boundaries of Margate; therefore, this policy is not applicable. (N/A)

POLICY 2.20.12 Broward County shall promote and encourage, and shall implement to the maximum extent feasible for those (re)development projects and lands owned by the County or within unincorporated areas, to take advantage of compact building design to preserve more open space, support a complete range of transportation choices, make public transportation viable, reduce public infrastructure cost and improve the health condition of residents and the wider community, in a manner generally consistent with the Broward Complete Streets Guidelines, or equivalent principles.

Response: The referenced policy speaks to property owned by Broward County, or in unincorporated areas. This property is owned by a private party; therefore, this policy is not applicable. (N/A)

POLICY 2.20.13 Adopt, implement, and encourage provisions, incentives, and methods to reduce future per capita use of natural and nonrenewable resources such as water and fossil-fuel energy, and reduce the production of potentially harmful waste materials.

Response: The addition of residential units does not increase the production of potentially harmful waste material. The referenced policy places the responsibility to implement appropriate provisions in the City's Comprehensive Plan on the municipality. As referenced in the adopted comprehensive plan, future land use element, residential uses currently make up 75% of the City, at an overall density of 5.7 dwelling units per acre, a few policies bear mentioning which would benefit this second review of the land use plan application. (N/A)

Policy 1.11 Adopted land development regulations shall continue to provide conditions which must be met by all proposed development prior to platting or site plan approval, which includes minimum standards for first floor elevations, soil compatibility, drainage and storm water management, open space and parks, signage, on-site parking, internal traffic flow and traffic circulation as specified within the adopted Traffic Circulation Element.

Emphasis added above, the comprehensive plan clearly acknowledges that there are conditions which are appropriate to review of a proposed plat and/or specific site plan, which includes drainage calculations, open space/recreational area design, and specific land development regulations relative to the site plan design. (Exhibit L, Page 52)

Policy 4.4 The use of Planned Unit Development (PUD) zoning should be promoted, encouraging mixed-use projects with lower development costs and assured provision of utilities, roads, open space, and other amenities.

The project is not proposing a rezoning to PUD. The rezoning application has been amended to reflect a desire to rezone to R-3. (See Application)

Objective 11 Discourage urban sprawl and encourage a separation of urban and rural

land uses by directing new development into areas where necessary regional and community facilities and services exist.

The conversion of a declining golf course surrounded by residential uses, creating a neighboring community in proximity to existing services, commercial uses, and other facilities acts to discourage urban sprawl. (Page 28)

Policy 13.19 It is the intent of the City of Margate to recognize and respect judicially acknowledged or constitutional protected private property rights. It is the intent of the City of Margate that all ordinances, regulations, and programs adopted pursuant to the TOC must be developed, promulgated, implemented, and applied with sensitivity for private property rights and not be unduly restrictive, and property owners must be free from actions of others which would harm their property.

While the second half of this policy is directed toward the Transit Oriented Corridor, which does not include this parcel, it is important to include the recognized intent of the City of Margate to respect constitutionally protected private property rights. (N/A)

The applicant has not provided any access easements or cross-access agreements needed to integrate into the adjacent properties. The applicant has not offered any off-site improvements that would enhance or support pedestrian, bicycle, or public transportation. Applicant proposes to redevelop a long narrow zig-zag shaped property with a single connection to a public street. This does not present itself as a walkable transit-friendly development, but rather an auto-dependent development.

Response: At the appropriate time the Applicant will obtain and provide all necessary easements. The conceptual plan provided for this LUPA application does not provide the connectivity details which would be provided at a site plan level review. (Exhibit L, Page 52)

Applicant asserts that the proposed amendment is consistent with Policy 2.1.2, despite the fact that this amendment seeks to change the land use category and increase the average density.

Response: The application is consistent with policy 2.1.2 because it encourages economic development and redevelopment in the City through the provision of housing opportunities for existing, and new Margate residents. (Page 28)

Applicant asserts that the proposed amendment is consistent with Policy 2.10.2, which was written to protect incompatible uses by considering established character of predominately developed areas. This amendment proposes to redevelop a golf course to residential in a golf course community. Eliminating the open space and recreational use in a golf course community would most definitely change the character of the existing area.

Response: The Applicant states compliance with Policy 2.10.3 which is intended to prevent incompatible uses. In this case, the LUPA is proposing residential uses which already exist in the area. As a result, the proposed use is compatible with the surrounding uses. (Page 29)

COMMENT 25: The noise study submitted in response to the requirements of Section 33-87 of the Code of the City of Margate is unacceptable. This section clearly states that measurements of noise shall not exceed certain limits for more than 12 hours in a 24-hour period. No specific durations of time were indicated in the report. The Code also requires the test be conducted on a normal weekday. The noted test times were: “Friday June 18 Evening / Saturday June 19 Day / Monday June 21 Day.” The Code also specifies that the test is to be conducted where on site where habitation is to occur, and that for multi-story buildings, the appropriate height shall be used. The report did not indicate any test locations or heights. The test did not indicate equipment used, nor did it offer calibration records. Overall, the test did not follow Code requirements and lacked critical information needed to validate the report.

Response: A revised noise study is provided with this resubmittal. (Exhibit U, Page 115)

COMMENT 26: The proposed amendment is not consistent with Policy 1.2.6 of Element I of the Margate Comprehensive Plan as it seeks to increase residential density by reducing the amount recreational land. Applicant acknowledges this and asks the City to change this policy in order to accommodate this proposed development. Staff recommends maintaining the policy so that the community character of existing neighborhoods within dashed-line areas is preserved.

Response: The Application submitted offers an alternative interpretation of the stated policy, as a strict reading of the policy could be construed as a governmental taking by virtue of not permitting a private property owner to make changes to the use of their property. (N/A)

COMMENT 27: The proposed amendment is not consistent with Policy 2.2.1 of Element II of the Margate Comprehensive Plan as the traffic analysis identifies two road segments operating below minimum LOS, this proposed amendment will add trips to those road segments, and no mitigation has been offered. Further, this Policy requires impact analysis to include all roads and intersections within 1.5-mile radius of the proposed development site.

Response: The requested impact analysis has been provided with the resubmittal. (Exhibit M, Page 53)

COMMENT 28: The proposed amendment is not consistent with Policy 5.1.1 of Element I of the Margate Comprehensive Plan as it identifies two overcapacity road links yet offers no mitigation.

Response: We realize that this is a restatement, but the applicant is proposing a Land Use Plan Amendment and has attached a transportation analysis as required by Broward County, such that the County review can occur following City action. In the case where there are roadway segments that currently operate at Level of Service Grade F, there is not a prohibition of any development whatsoever, which would be unreasonable. The requirement is to demonstrate that the proposed change in land use does not increase the capacity by 3% or more. In this case, with the addition of 99 trips, the addition of trips is less than 3%, or to use the term in the attached analysis, de minimis. Note that at the time of a specific site plan, an updated analysis will need to be performed. The role of the transportation analysis attached to this application is to provide a professional engineer’s review of the existing and proposed intensity, and to quantify whether the delta/change is under that 3% threshold, and this application has done so. (Exhibit M, Page 53)

COMMENT 29: The proposed amendment is not consistent with Policy 5.1.2 of Element I of the Margate Comprehensive Plan as a drainage analysis and plan have not been provided, and the response to drainage questions in Part 5D of this LUPA application fails to provide all of the information requested.

Response: The required drainage analysis, as necessary to define what the level of service is for the drainage district, and what must be demonstrated at the time of final design, has been provided with this resubmittal. (Exhibit J, Page 46)

COMMENT 30: The proposed amendment is not consistent with Policy 6.3.4 of Element I of the Margate Comprehensive Plan as it fails to interconnect to adjacent neighborhoods.

Response: Pursuant to Policy 1.11, the appropriate time for specific site plan comments and recommended cross-connections is at the platting and site plan stage, this comment is noted for future reference. . (N/A)

COMMENT 31: The proposed amendment is not consistent with the part G3 of Plan Implementation requirements of Element I of the Margate Comprehensive Plan as it fails to provide for the following:

- Adequate public facilities and services available when needed to serve the amendment site; and

Response: The required analysis is provided with this resubmittal. (Exhibits G through I, Pages 42 to 44)

- Amendment sites consisting of golf courses are required to mitigate the loss of open space to serve the surrounding neighborhood; and

Response: There is no language in the comprehensive plan that supports this conclusion. If such language exists, or records, please cite same so that we can respond accordingly. (N/A)

- Applicant has not provided any analysis for the management of storm water retention even though there is an existing drainage and flow easement that traverses the property and carries storm water from adjacent developments; and

Response: The required analysis is provided with this resubmittal. (Exhibit J, Page 46)

- Applicant has failed to analyze the impact of natural resources on site; and

Response: Page 27 of the application provides an analysis of natural and historic resources. (Page 24)

- Applicant did not submit a Phase 1 environmental assessment; and

Response: References to the Phase 1 environmental analysis have been removed from

this report. (N/A)

- Applicant makes no attempts to integrate the proposed development with the surrounding areas; and

Response: The Land Use Plan Amendment application is intended to establish a maximum density for the parcel. Integration with the surrounding areas can be addressed during the site plan process. (N/A)

- Applicant fails to address affordable housing; and

Response: Affordable housing analysis is provided with this submittal. (Exhibit T, Page 111)

- Applicant fails to address wetlands. Rather, applicant attempts to defer this requirement until permitting.

Response: Page 27 of the application addresses the property wetlands, by advising that none have been identified on the property, further, this comment would be appropriate at a site plan or plat stage. (Page 24)

DEPARTMENTAL COMMENT RESPONSES (LUPA)

BUILDING

1. No comments.

FIRE

Provide secondary means of access for emergency use.

Response: Attached is email correspondence and notes from January 13, 2021 from a preliminary meeting with the City of Margate, in which Andrew Pinney states :

“David Scholl of the Margate Fire Department indicated during the meeting that the development could have a single entrance off of Margate Blvd if certain design criteria were met, such as lane width, turn-around areas for apparatus, fire hydrant spacing, etc.”

We agree that a formal site plan application would need to demonstrate compliance with applicable fire codes. The conceptual site plan attached as an exhibit to the LUPUA analysis was provided to indicate a potential arrangement of units has been provided to demonstrate that the desired density can be developed on the existing parcel, but a formal site plan application is not part of this LUPA request.

PUBLIC WORKS

1. On the site plan it seems the developer is constructing over the existing drainage easement and not relocating the canals that are part of the areas canal system to control any flooding.

Response: Thank you for this comment. Please see the attached conceptual site plan that has been modified slightly to help clear up any misconceptions, as we agree that there are some existing drainage and flowage easements (as shown in Plat Book 78 Page 21) and existing water bodies which do not overlap this platted easement. While the conceptual site plan is intended to convey a potential layout, to address any concern about the proposed density being achievable on site, it was not meant to imply that the drainage and flowage easement would be abandoned or that any existing flowage from neighboring properties through the subject site would be blocked. There may be some coordination needed at such time as a formal site plan is proposed, which will require additional discussions about advantageous ways to re-route drainage and flowage, and accomplish the storage and pre-treatment needed to achieve a drainage permit approval. (Page 51)

2. Kimley-Horn revised letter dated June 21, 2021, 3.4 on page 4 mentions stormwater retention. I would like to see how they intend to relocate the canals. This document seems to repeat itself 3 times.

Response: Please review the attached revised analysis which seeks to explain how the project will achieve a drainage permit, with an emphasis added, along the lines of the response to comment 1 above, that no blockage of flowage is proposed. While it would

be premature to refine this plan to a stage where a formal site plan application could be reviewed, additional explanation has been provided regarding the general means and methods that will be used to accomplish the storage and treatment requirements of the drainage district, which may include the creation of, or modification of, existing water bodies, canals, and the preservation of drainage and flowage transmission through the subject property. (Page 15)

3. The land use plan amendment application needs to have attachment J from Broward County updated to reflect what the developer is actually requesting be constructed. This also will need to show how the 30- foot drainage easement will be maintained or relocated.

Response: The project team has attached an updated Broward County Exhibit J. Please note that position of the County has not changed from 2019, in that the surface water management licensing program could issue a license for the project so long as the project can demonstrate compliance with Chapter 27 Article V and the SFWMD requirements. In addition, and relevant to the comment stated above, the County will require the relocation of drainage easements including flowage responsibilities outlined on the plat, together with a stormwater analysis upstream and downstream of the proposed project as part of their review. The applicant is not asking for any relief from drainage requirements, nor any change to platted flowage easement rights through the subject property. (Page 46)

POLICE

1. No comments.

ENGINEERING

The Director of the Department of Environmental and Engineering Services (DEES), or his qualified designee, has conducted a review of the submitted documentation in accordance with Article IV, Chapter 31 of the City of Margate is Code of Ordinances and finds the following:

PREAMBLE (applicant notes below in bold)

The applicant is requesting to change the land use of the Margate Executive Golf Course from Commercial Recreation to Residential R (10) to allow construction of 200 townhouse units on the property. According to the analysis submitted, the property currently allows for 92 new units, but the applicant is requesting to build additional 108-townhouse units for a total of 200 units. **Note that the applicant has removed any indication as to the type of units, simply referring to ‘residential’ units in all cases, the desired, or ultimate, unit type has not been identified.**

To construct the project, the applicant is proposing to fill in ponds and canals. **This is not accurate; the conceptual plan is provided to demonstrate how 200 units might be arranged on sight, not asking for approval of a specific relocation or modification to the existing water bodies.** These ponds and canals are an integral part of the drainage collection system for the area and are connected to the canal system north of the property. As a result, any modification of the canal section on the Margate Executive Golf Course may affect

properties north of the development. **We agree; and again there is no request to block off or modify the existing flowage or drainage conveyance through the property, when a specific site plan package is prepared, we agree that existing easements and flowage need to be taken into consideration together with site layout elements that may arise during the review and hearing process discussing this land use amendment, and will benefit from the same.**

The entire canal system that flows through the golf course ultimately discharges to the C 14 canal, south of the Margate Executive Golf Course. A detention pond also exists on the Golf Course, which serves to regulate stormwater discharge to downstream communities. **Note that there is no part of this application that is requesting a change in upstream or downstream flowage, and we recognize that when a specific site plan is prepared, this will need to be addressed. Broward County is also aware of this (see attachment J).**

The Margate canal system and detention and retention ponds serve to efficiently hold and discharge stormwater and subsequently reduce the occurrence of flooding in the City of Margate. The critical resources of canals and ponds that exist on the Margate Executive Golf Course cannot be abandoned and the developer must demonstrate how these resources will be rerouted or altered. The developer shall analyze the impact of realigning and or rerouting the canal on upstream and downstream communities. A thorough engineering analysis that includes computer modelling shall be required to demonstrate the impacts of altering the canal.

Again, the possibility of hydrology studies and potential benefits of modeling will be discussed at the site plan stage. Filling of the lakes and canals will change the FEMA flood zone designation and a letter of map change (LOMC) will be required.

A. TRAFFICWAYS

1. For road segments that are categorized as LOS F, the developer shall demonstrate how these segments will be further impacted, and further demonstrate how these impacts will be mitigated.

Response: The applicant is proposing a Land Use Plan Amendment and has prepared a transportation analysis as required by Broward County, such that the County review can occur following City action. In the case where there are roadway segments that currently operate at Level of Service F, there is not a prohibition of any development whatsoever, which would be unreasonable. The requirement is to demonstrate that the proposed change in land use does not contribute external trips in excess of 3.0 percent (3.0%) of a failing roadway's maximum service volume. In this case, the proposed amendment is not expected to add more than 0.6 percent (0.6%) of the service volume of the currently failing segments which is not significant, or to use the term in the attached analysis, de minimis. Note that at the time of a specific site plan, an updated analysis will need to be performed. The role of the transportation analysis attached to this application is to provide a professional engineer's review of the existing and proposed intensity, and to quantify whether the delta/change is under the 3% threshold, and this application has done so. (Page 55)

2. Apply new development trips on the background growth rate that is provided in Tables 10 and 12 and demonstrate what will be the anticipated LOS after the project is completed.

Response: Tables 10 and 12 of the analysis include the anticipated background growth and development trips. As shown, the proposed amendment is not expected to add more than 0.6 percent (0.6%) of the service volume of the currently failing segments. (Page 60)

3. Illustrate how traffic ingress and egress to/from Margate Boulevard is proposed to occur. If a signalized intersection will be considered show what associated modifications will be required on Margate Boulevard.

Response: Please note that a conceptual site plan has been provided to demonstrate that the desired density can be developed on the existing parcel, however, a formal site plan application is not part of this request. There are potential cross access points with neighboring properties, and there is also the opportunity to ultimately design with a single ingress/egress point on Margate Boulevard, neither of which are being defined or requested at this stage. Note that at the time of a specific site plan, an updated analysis will need to be performed. (Page 52)

4. Provide details as to the number of residents expected to walk or use public transportation and illustrate associated walking distances and paths to bus stop(s).

Response: US Census *Journey to Work Data* indicates that approximately 7.8% of residents in the vicinity of the proposed amendment walk or use public transportation to and from work. (Page 63)

5. Provide additional details to support how a trip count of 99 new trips was derived.

Response: The Institute of Transportation Engineers' (ITE) Trip Generation Manual, 10th Edition, was used to calculate the project's trip generation potential. Detailed calculations are included in Exhibit R of the analysis. (Page 94)

6. For trips that exceed 500, a traffic impact study shall be performed for intersection and road segments within a one-mile radius of the site perimeter.

Response: Not applicable, as the amendment is not anticipated to exceed 500 trips. (N/A)

B. POTABLE WATER AND WASTEWATER

Potable Water

1. The submitted analysis incorrectly calculates the net change in potable water

demand as 0.022 MGD. Although the request is to build 200 townhouse units, the calculations are for only 108 townhouses. Please redo calculation for a total of 200 new townhouses.

Response: As discussed at the DRC meeting, the proposed total potential units would be 200 residential units (which are not being identified as townhomes specifically) following approval of the land use plan amendment application, but the analysis required is only for a change in land use to addresses the change in density for the difference between the increase created by the change in density. At this stage of development, the applicant must demonstrate that the proposed density falls within an acceptable level of service for water and sewer, and the calculations provided demonstrate that. (Page 10)

2. DEES calculations suggest that the demand for potable water ought to be around 0.067 MGD and not 0.022 MGD. Redo water and sewer analysis.

Response: Please find the revised analysis per this comment in the attached narrative. (Page 10)

3. Provide an analysis of the existing 12" Asbestos Concrete (AC) distribution main that will supply the development and determine its adequacy based on the additional demand.

Response: *Comprehensive Plan Policy 1.11 provides: "...adopted land development regulations shall continue to provide conditions which must be met by all proposed development prior to platting or site plan approval, which includes minimum standards for first floor elevations, soil compatibility, drainage and storm water management, open space and parks, signage, on-site parking, internal traffic flow and traffic circulation as specified within the adopted Traffic Circulation Element."*

The comprehensive plan clearly acknowledges that there are conditions which are appropriate to review of a proposed plat and/or specific site plan, which includes drainage calculations, specific utility design, and existing facilities adjacent to the site, including an analysis of the 12" main, which may be at the end of its useful life, or may be sufficiently sized for the specific site plan that is filed for review. Timing of this analysis should coincide with the site plan and/or plat applications. (N/A)

4. The 12" AC pipe that is located on Margate Boulevard is at the end of its useful life and will need to be replaced.

Response: Please see the comment response above. (N/A)

Wastewater

1. Provide Engineering analysis to demonstrate that the existing 12" VCP collection

sewer main has the capacity to service the new 200-townhouse development.

Response: Please review the attached analysis; aimed at satisfying the question of whether the wastewater treatment plant has capacity for a maximum potential additional capacity associated with the increase in residential density. The project specific site plan will need to provide additional analysis in terms of point of connection, existing conditions of infrastructure associated with the project including the sewer main, and existing lift station. This also provides the benefit of tying that analysis closer to a site plan approval and construction, at which time the conditions and assessment of facilities would need to be re-done in any case to verify existing efficiencies or lack thereof. (Page 12)

2. Provide Engineering analysis of the receiving lift station (L.S 24) to determine surplus capacity for the additional flows.

Response: Please see the response to #1 above. (Page 12)

- 3 If surplus capacity is unavailable, the developer shall demonstrate how sewage collection and disposal will occur.

Response: The capacity being discussed in the attached analysis is tied to the wastewater treatment plant, not specific lift station and/or sewer mains. (Page 12)

C. DRAINAGE

1. The lake and canal system are in an AE Flood Zone. The Base Flood Elevation (BFE) is this AE zone is 11.00 feet.

Response: Acknowledged. (N/A)

2. Demonstrate that there will be no impact to filling in the existing lake and canal.

Response: As stated above, there is no request to block off or modify the existing flowage or drainage conveyance through the property, when a specific site plan package is prepared, we agree that existing easements and flowage need to be taken into consideration together with site layout elements that may arise during the review and hearing process discussing this land use amendment, and will benefit from the same. (N/A)

3. Provide details of how the existing drainage facilities will be abandoned to allow construction.

Response: The project is not at the design stage, which is to say it is premature to take a position on existing water bodies and drainage facilities, in terms of which ones will be redesigned and which ones may be impacted. (N/A)

4. Demonstrate how the impacts to drainage systems that discharge into the existing lake will be managed
5. Provide a stormwater analysis to illustrate how water quality will be achieved
6. Provide a hydraulic analysis to demonstrate that filling in the lake, realigning, and rerouting the canal will not result in higher flood levels nor otherwise create negative impacts on communities upstream and downstream of the project.
7. Provide a hydraulic analysis to demonstrate that filling in the lake, realigning, and rerouting the canal will not result in higher flood levels nor otherwise create negative impacts on communities upstream and downstream of the project

Response: For comments 4-7, the preparation of a specific and detailed site plan package will need to include careful consideration of the existing drainage and flowage rights, a geotechnical report on soils to establish a percolation rate, and review a project design that benefits from the community input during this land use plan process, feedback from neighbors, and a design that incorporates all the requirements from the drainage authority in terms of existing and proposed facilities and design, such that a drainage permit can be achieved. (N/A)

D. FLOODPLAIN

The canal that flows through the property is in a FEMA flood Zone AE (11.00 feet). The open space that was provided is contiguous with the canal and is in a Shaded X flood zone.

Filling of the lakes and canals may change the FEMA flood zone designation and a letter of map change (LOMC) may be required based on the altered ground elevations after engineered fill is placed.

Any alteration or relocation of the canal should not increase the community's flood risk or those of any adjacent community, or any community upstream or downstream. The altered or relocated channel shall have at a minimum the carrying capacity of the original channel.

After altering a channel, the developer may be required to assume responsibility for maintaining the capacity of the modified channel in the future.

Federal, State, and local surface water management district permits may be required for any alteration or relocation activity.

Response: The preparation of a specific and detailed site plan package will need to include careful consideration of the existing drainage and flowage rights, a geotechnical report on soils to establish a percolation rate, and review a project design that benefits from the community input during this land use plan process, feedback from neighbors, and a design that incorporates all the requirements from the drainage authority in terms of existing and proposed facilities and

design, such that a drainage permit can be achieved. (N/A)

E. SOLID WASTE

The developer shall consult with the city's solid waste contractor to determine their requirements to service this development.

Response: Please find attached the correspondence from Waste Management confirming their capacity to serve the project at a maximum intensity of 200 residential units. (Page 44)

F. RECREATION

Show what recreational facilities and open space will be provided to service 200 new townhouses.

Response: Please review attached conceptual site plan, provided for reference only, which has been modified to show some potential locations of open space and amenities on site, and does not specify townhomes as the unit type. (Page 2)

DEVELOPMENT SERVICES

After review of the above referenced DRC application, the Development Services Department has provided the following comments and advisory notes. Comments require a written response from the applicant and correction(s) to the application. Advisory notes are provided as a statement of fact.

ADVISORY NOTE 1: This application is for a land use plan amendment and is therefore subject to the requirements of Chapter 31 of the Code of the City of Margate as well as Plan Implementation procedures described in Element I of the Margate Comprehensive Plan.

Response: Acknowledged.

Subject Property:

The subject property is a ~21.3-acre site located at 7870 Margate Blvd. The subject property is a 9-hole executive golf course with a peculiar zig-zag shape, such that it is relatively narrow, and juts back and forth as it weaves into and around adjacent developments. The subject property is bounded to the north by Oriole Margate VI (Residential, 4 units per acre), Margate Boulevard, and Garden Patio Villas (Residential, 7-units per acre). The subject property is bounded to the east by Garden Patio Villas (Residential, 7-units per acre) and Oriole Gardens Phase II (Residential, 17-units per acre). The subject property is bounded to the south by Oriole Gardens Phase II (Residential, 17-units per acre). The subject property is bounded to west by Oriole Margate VI (Residential, 4 units per acre) and Oriole Gardens Phase II (Residential, 17-units per acre). The subject property is located within the S-1 Recreational zoning district, has an underlying land use designation of Commercial Recreation, and within a Dashed-Line Area that is limited to an overall average residential density of 7.6 units per acre. The subject property is designated as "Recreation and Open Space" in the BrowardNext Land Use Plan.

COMMENT 1: This Land Use Plan Amendment (LUPA) application incorrectly identifies the

current zoning designation as “R3A-MULTIPLE FAMILY DWELLING” on the DRC application form.

Response: Application has been updated. (N/A)

COMMENT 2: Section 1B of this LUPA application indicates the Local Government Contact is Elizabeth Taschereau, AICP. Remove the AICP designation from Ms. Taschereau’s name. Insert the word “Services” between Development and Department.

Response: Application has been updated. (N/A)

COMMENT 3: Section 2D, on page 7, of this LUPA application indicates that the acreage of the dashed line area where the subject property is located is 109.8 acres, and points to a letter issued by the Broward County Planning Council as Exhibit A. This letter, dated January 31, 2019, was written by Barbara Blake Boy, Executive Director, was sent to Cynthia Pasch, with copies sent to the Margate City Manager and Development Services Director.

The original letter included a graphic exhibit enclosed with the letter. This graphic exhibit was not included with applicant’s Exhibit A. The graphic exhibit included with the letter clearly showed that the BCPC acreage determination included land outside the jurisdictional limits of the City of Margate, and thus the acreage presented in the letter is inaccurate. Staff verbally advised Mark Rickards, AICP of the inaccuracy of this letter on June 10, 2021, but the applicant chose to proceed with the BCPC letter, and omit the attachment.

The BCPC letter also clearly states on page 2, “Planning Council staff notes that this calculation is based on the information that you provided and that the information should not be utilized for official purposes unless independently accepted by the local government.” The City of Margate finds this acreage determination unacceptable.

Response: Please find revised BCPC correspondence attached. (Page 31)

COMMENT 4: Section 2D, on page 7, of this LUPA application includes, “The Applicant’s Development Plan for 200 townhouse units was designed with consideration given to the surrounding residential areas so that the resulting development will be compatible with the uses and densities in the surrounding area.” Please elaborate design elements and efforts for compatibility. The applicant’s rationale points to residential developments to the south and east while ignoring the single-family neighborhood contiguous to the west and north sides of the subject property. The single-family neighborhood to the west/north as well as the multi-family villas to the east/north are both single story developments, which raises compatibility concerns when compared against the multi-story multifamily development proposed by this application.

Response: The proposed residential development serves as an excellent transition between the existing residential developments that surround the project in proximity to the existing commercial uses in the area. Furthermore, the site plan, once completed will provide for a code compliant suitable buffer (which would supplement in cases the existing significant fencing and landscaping on adjacent properties) between uses which will serve to provide more privacy to the existing residential units. Its worthy of discussion to note that where there are existing residential development parcels with no buffer, and no landscaping with the exception of sod, that lack of buffer material on the adjacent properties, it is assumed to

comply with the landscaping rules in place at the time of their construction. Additionally, note that there exists today instances of multi-story and single story residential development adjacent to each other in proximity to this project which do not contradict the Margate Land Development Regulations. (N/A)

COMMENT 5: Section 2D, on page 8, of this LUPA application includes, “To the extent that the shopping center is revitalized, it could result in fewer trips on Rock Island Road and beyond by keeping some commercial activities limited to the nearby shopping center. Vehicle trips could even be eliminated if people choose to walk to the shopping center.” Elucidate exactly how building 200 new homes in a suburban setting, near the terminating point of a dead-end road, will reduce traffic on nearby arterial roads; cite sources.

Response: Pursuant to relevant trip data analysis, it is anticipated that the Applicant’s project will generate less than 100 new trips. Furthermore, the project will be designed in a manner to create a sense of pedestrian connectivity between the proposed project, and neighboring properties including the pedestrian sidewalk on Margate Boulevard. (Page 57)

COMMENT 6: Section 3A, on page 8, of this LUPA application indicates that the net acreage of the subject property is 21.3 +/- acres, and the gross acreage of the subject property is 22.0+/- acres. The application form submitted by applicant indicates the acreage of the subject property is 20.82 acres. Provide a signed survey that indicates both net and gross site acreage.

Response: Find signed and sealed survey attached with accurate acreage provided. (Page 36)

COMMENT 7: Section 4C, on page 9, of this LUPA application fails to recognize the single-family homes adjacent to a portion of the north property line. The shopping center to the east is not adjacent to the subject property. This section incorrectly identifies townhomes to the east, these are single story villas, which is a type of multi-family.

Response: The adjacent parcels have all been correctly identified. (N/A)

COMMENT 8: Section 4D, on pages 9, of this LUPA application indicates that 92 dwelling units are available within the Dashed Line Area. This is incorrect, as it is based on the inaccurate acreage determination described above in Comment 3. Further, increasing the average density to 8.6 will not provide sufficient dwelling units to build the requested 200 new units. Corrections are required throughout the application.

Response: The application has been updated with the correct information. (Pages 10 through 27)

COMMENT 9: Section 5, on pages 10 through 27, of this LUPA application provides a flawed analysis based on 108 new townhouses. The assumed acreage of the dashed-line area is incorrectly stated as 109.8 acres and thereby the amount of available units assumed is incorrect, thus the impact analysis based on 108 new units is incorrect. Any citation of the “City of Margate Code of Ordinances” shall include the appropriate chapter and section numbers. Further, no mitigation strategies have been offered.

Response: Corrections have been made throughout and proper code sections cited as

required.

COMMENT 10: Exhibit K of this LUPA application is not an “up-to-date inventory of municipal community parks” as required by Section 5E2 on page 17 of this LUPA application.

Response: Please find the previously provided park inventory attached, the applicant has requested additional data if available, as there have been no changes in park inventory that we are aware of. (Exhibit K, Page 48 through 50)

COMMENT 11: Section 6F, on page 28, of this LUPA application requires the identification of protected wildlife species and depiction of the habitat locations on a map. The response acknowledged the presence of burrowing owls but did not include a map.

Response: Please find enclosed a revised narrative regarding section 6F, and attached to this comment response letter we are providing an exhibit indicating known burrow locations, note that these burrows are created and abandoned throughout the year, as the burrowing owl habitat is far reaching, favoring open prairie / cleared areas such as the FPL transmission line easement running through Margate, swale areas, and other areas with limited understory plantings. The map is intended to reflect existing locations, and to acknowledge that, similarly to any development parcel in Margate that has been cleared, proper and lawful care will need to be taken prior to redevelopment activities. (Attached Exhibit 1, Page 22)

COMMENT 12: Exhibit M, starting on page 58 of this LUPA application, has a number of issues.

- The author of the analysis is not identified. Identify author and explain how the author is qualified to provide such an analysis.

Response: Please find author information and identification provided on the revised Exhibit M. (Exhibit M, Page 54)

- Part A1 asks for the roadways impacted by the proposed amendment and for the applicant to identify the number of lanes, current traffic volumes, adopted level of service and current level of service. The response provided only identifies three roads and fails to correctly identify adopted level of service. A trip distribution model is referenced in this analysis, and said model identifies 13 roads, indicating that trips will be distributed on nine of them. Response is incomplete. This analysis incorrectly identifies the exhibit number for this model.

Response: The provided response to part A1 provides the requested information in the discussion and in Table 1. Furthermore, the analysis was prepared for roadway segments that are expected to serve a significant proportion of project traffic. The requirement is to demonstrate that the proposed change in land use does not contribute external trips in excess of 3.0 percent (3.0%) of a failing roadway's maximum service volume. Therefore, the analysis only include segments along the identified roadways directly adjacent to the project site. This is the appropriate response. (Exhibit M, Page 53 through 66)

- Response to A3 incorrectly identifies acreage of the dashed-line area and confuses site density with average density. The analysis indicates that it relies on the Institute of Transportation Engineer's (ITE) Trip General Manual, 10th Edition. Where in the ITE 10th edition does it allow for a multi-modal trip reduction factor within a single use townhouse development situated in a suburban setting?

Response: Multimodal trip reduction factors are based on the availability of transit routes in the vicinity of a project as well as US Census data identifying the expected number of residents that walk, bike, or use transit. Unlike internal capture reductions, the fact that the project is comprised of a single use does not impact the eligibility of applying a multimodal trip reduction factor. (Exhibit N, Page 68 to 81)

Please explain how peak hour trips are expected to be reduced on Margate Boulevard, east of NW 80th Avenue, in 2040. Margate Boulevard terminates at NW 80th Avenue.

Response: As described above; there are no improvements on Margate Boulevard which directly arise from the transportation analysis attached, while this comment may be appropriate at the site plan stage, the de minimus impacts of the land use amendment do not indicate a need to address Margate Boulevard. The peak hour volumes used in the analysis are provided by Broward Metropolitan Planning Organization (MPO). (Exhibit M, Page 60)

- Part B1 asks for transit routes within 1/4 mile. Report incorrectly identifies routes on Atlantic Boulevard.

Response: Atlantic Boulevard is within ¼ mile of the project site, and is a Broward County Transit Route.

- Response to part B2 continues to incorrectly assert that the subject property is within 1/4 mile of BCT bus routes and inner-city shuttle routes on Atlantic Blvd.

Response: Atlantic Boulevard is within ¼ mile of the project site, and is a Broward County Transit Route.

COMMENT 13: Exhibit P, starting on page 70 of this LUPA application, is not the most current letter, and indicates a proposed development of 180 townhouses, rather than the 200 stated throughout the rest of this application.

Response: Exhibit P correctly identifies the number of units agreed to at the DRC meeting that need to be evaluated. (Exhibit P, Page 90)

COMMENT 14: Exhibit Q, starting on page 72 of this LUPA application, repeats Exhibit P, SBBC letter issued December 17, 2018, rather than providing Trip Generation Calculations as indicated by the title of the exhibit.

Response: Exhibit Q has been updated. (Exhibit Q, Page 92)

COMMENT 15: Exhibit R, starting on page 74 of this LUPA application, fails to identify AM

peak hour trips and daily average trips.

Response: Exhibit R has been updated. (Exhibit R, Page 94)

COMMENT 16: Exhibit R, starting on page 79 of this LUPA application, is listed twice for different exhibits. The second Exhibit R fails to identify the subject property on the map and fails to identify acronyms used.

Response: The appropriate exhibit has been properly labeled and attached. (Exhibit R, Page 94)

COMMENT 17: Response to Part 5E5, on page 20 of this LUPA application references a Phase I environmental site assessment report as Exhibit M, however no such report was included with this application. As noted above, Exhibit M is a problematic transportation analysis.

Response: References to the Phase I ESA have been removed from this document. With regard to Exhibit M, please provide clarification on the problematic elements. (n/a)

COMMENT 18: Response to Part 5E5, on page 19 of this LUPA application, fails to adequately address Policy 2.5.5a. In what way will this project mitigate the loss of recreation and open space in the surrounding neighborhood?

Response: Part 5E5 has been updated. According to the inventory analysis the City has abundant recreation and open space to accommodate existing and future Margate residents. (Exhibit K, Page 49 to 50)

COMMENT 19: Response to Part 5E5, on page 20 of this LUPA application, fails to adequately address Policy 2.5.5e. The conceptual master plan provided shows new buildings blocking two of the best potential connection points to adjacent private residential developments. No cross-access agreements, nor access easement dedications, with adjacent properties have been provided. This proposal appears to encourage isolation and sprawl which contradicts Policy 2.5.5.

Response: Part 5E5 has been updated. It is not appropriate to define access easements in connection with a conceptual plan. With that said, the applicant is not against same. (Exhibit L, Page 52)

COMMENT 20: Response to Part 5E5, on page 20 of this LUPA application, fails to adequately address Policy 2.5.5b. A tree survey of the property has not been provided. This survey would identify tree canopy and historic trees on the subject property.

Response: Part 5E5 has been updated and a tree survey provided. (Exhibit C, Page 37)

COMMENT 21: Response to Part 5E5, on pages 18-19 of this LUPA application, fails to adequately address Policy 2.5.4. Response indicates that the conceptual master plan lays out the project on site and depicts the provision of recreation and open space. No such areas are spatially identified on the conceptual master plan.

Response: The provided conceptual plan, which indicates a generalized layout, does

show open space areas, buffer areas, potential roadway layouts, and acknowledges that all development must comply with R-3 regulations when a formal site plan is submitted. Additionally, are you referring to Margate 2.0 with the Policy reference? Additional clarification is requested. (Exhibit L, Page 52)

COMMENT 22: Response to Part 7, on page 29 of this LUPA application, is illogical and incorrect. Response acknowledges that affordable housing is required for amendments adding 100 or dwelling units, notes that this amendment is seeking 108 additional units, and then concludes that affordable housing analysis is not required.

Response: Part 7 has been updated and an affordable housing study has been provided. (Exhibit T, Page 110 through 113)

COMMENT 23: Response to Part 8, on pages 29-30 of this LUPA application fails to acknowledge the fact that those high-density developments are buffered by the vast open spaces of golf courses, including the subject property. Redeveloping this golf course to moderately dense residential would drastically alter the community character of the area by removing open space and recreational opportunity in the neighborhood. This response is misleading toward the current adjacent uses. It describes an age restricted (55+) condominium being adjacent to single-family, therefore the proposed townhouses would be compatible. The condominiums that abut the single family have buildings oriented such that the narrow side of the rectangular buildings face the single-family homes, thus reducing visual impacts and privacy concerns. That condominium development abuts a total of five single-family home sites, whereas applicant proposes building townhouses along 16 individual sites of single-family homes. The conceptual master plan has the townhouses oriented with the broad side of the rectangular buildings facing the backyards of those single-story houses, which presents the greatest visual impacts and loss of privacy.

This response indicates that recreation amenities will be provided, yet, the conceptual master plan does not depict any recreational areas. This response incorrectly identifies an adjacent development as townhouses.

Response: The R-3 District is listed as Low-Density Multiple Dwelling in Section 5.1. The maximum density requested of 200 units would equate to roughly 10 units per acre. This density is reasonable and appropriate to the surrounding uses. The attached conceptual plan is provided for clarity purposes, not for review as a formal site plan application. The subject property, it is acknowledged, must prepare and submit a formal site plan which meets and/or exceeds the property development regulations in place at the time of the submittal. Under the current zoning, there is development potential that would also be adjacent to age restricted residential buildings, there has not been a site plan application submitted defining height or asking for a two-story product. The proposed project is compatible with the existing developments as it adds to the residential stock in the city by providing an additional housing option to the existing and future residents in the City of Margate. Comment 23 seems to say that a residential use cannot be compatible with the surrounding residential uses without providing specific concerns for reference in a future submittal of a specific site plan. (Exhibit L, Page 52)

COMMENT 24: Response to Part 12, on page 31 of this LUPA application describes the

development plan as 188 townhouses. Every other reference in this application seems to be for 200 townhouses.

Response: The LUPA application has been updated to be consistent throughout with 200 residential units, deleting any specific mention of townhouses per se to avoid confusion. (Exhibit A, Page 31)

Response argues that this development is consistent with “Smart Growth” policies. Policies 2.20.1 through 2.20.17 of BrowardNext apply Smart Growth principles. Staff disagrees with applicant’s position that the redevelopment is consistent with promoting Smart Growth, based on the following:

POLICY 2.20.4 Broward County shall promote and encourage, and shall implement to the maximum extent feasible where appropriate for those (re)development projects and lands owned by the County or within unincorporated areas, **the preservation and creation of open space**, areas of natural beauty, community gardens and similar uses, designed on an urban scale and suitable for an urban mixed use neighborhood, for perpetual public use.

Response: The referenced policy speaks to property owned by Broward County, or in unincorporated areas. This property is owned by a private party; therefore, this policy is not applicable. (N/A)

The proposal is to redevelop 21.3 acres of recreational open space into townhouses. This is the opposite of preserving and creating open space for perpetual public use.

POLICY 2.20.6 Broward County shall promote and encourage, and shall implement to the maximum extent feasible for those (re)development projects and lands owned by the County or within unincorporated areas, mixed land uses serviced by a variety of transportation modes within an integrated transportation network, and link intensive development to existing or planned pedestrian, bicycle and public transportation nodes or corridors.

Response: The referenced policy speaks to property owned by Broward County, or in unincorporated areas. This property is owned by a private party and I slocated within the municipal boundaries of Margate; therefore, this policy is not applicable. (N/A)

POLICY 2.20.7 Broward County shall promote and encourage, and shall implement to the maximum extent feasible for those (re)development projects and lands owned by the County or within unincorporated areas, the **creation of walkable sites, neighborhoods and community designs that are accessible to and address the needs of all users and support healthy lifestyles using public venues, inclusive of all modes of transportation in a manner generally consistent with the Broward Complete Streets Guidelines**, or equivalent principles.

Response: The referenced policy speaks to property owned by Broward County, or in unincorporated areas. This property is owned by a private party and I slocated within the municipal boundaries of Margate; therefore, this policy is not applicable. (N/A)

POLICY 2.20.12 Broward County shall promote and encourage, and shall implement to the maximum extent feasible for those (re)development projects and lands owned by the County or within unincorporated areas, to take advantage of compact building design to preserve more open space, support a complete range of transportation choices, make public transportation viable, reduce public infrastructure cost and improve the health condition of residents and the wider community, in a manner generally consistent with the Broward Complete Streets Guidelines, or equivalent principles.

Response: The referenced policy speaks to property owned by Broward County, or in unincorporated areas. This property is owned by a private party; therefore, this policy is not applicable. (N/A)

POLICY 2.20.13 Adopt, implement, and encourage provisions, incentives, and methods to reduce future per capita use of natural and nonrenewable resources such as water and fossil-fuel energy, and reduce the production of potentially harmful waste materials.

Response: The addition of residential units does not increase the production of potentially harmful waste material. The referenced policy places the responsibility to implement appropriate provisions in the City's Comprehensive Plan on the municipality. As referenced in the adopted comprehensive plan, future land use element, residential uses currently make up 75% of the City, at an overall density of 5.7 dwelling units per acre, a few policies bear mentioning which would benefit this second review of the land use plan application. (N/A)

Policy 1.11 Adopted land development regulations shall continue to provide conditions which must be met by all proposed development prior to platting or site plan approval, which includes minimum standards for first floor elevations, soil compatibility, drainage and storm water management, open space and parks, signage, on-site parking, internal traffic flow and traffic circulation as specified within the adopted Traffic Circulation Element.

Emphasis added above, the comprehensive plan clearly acknowledges that there are conditions which are appropriate to review of a proposed plat and/or specific site plan, which includes drainage calculations, open space/recreational area design, and specific land development regulations relative to the site plan design. (Exhibit L, Page 52)

Policy 4.4 The use of Planned Unit Development (PUD) zoning should be promoted, encouraging mixed-use projects with lower development costs and assured provision of utilities, roads, open space, and other amenities.

The project is not proposing a rezoning to PUD. The rezoning application has been amended to reflect a desire to rezone to R-3. (See Application)

Objective 11 Discourage urban sprawl and encourage a separation of urban and rural

land uses by directing new development into areas where necessary regional and community facilities and services exist.

The conversion of a declining golf course surrounded by residential uses, creating a neighboring community in proximity to existing services, commercial uses, and other facilities acts to discourage urban sprawl. (Page 28)

Policy 13.19 It is the intent of the City of Margate to recognize and respect judicially acknowledged or constitutional protected private property rights. It is the intent of the City of Margate that all ordinances, regulations, and programs adopted pursuant to the TOC must be developed, promulgated, implemented, and applied with sensitivity for private property rights and not be unduly restrictive, and property owners must be free from actions of others which would harm their property.

While the second half of this policy is directed toward the Transit Oriented Corridor, which does not include this parcel, it is important to include the recognized intent of the City of Margate to respect constitutionally protected private property rights. (N/A)

The applicant has not provided any access easements or cross-access agreements needed to integrate into the adjacent properties. The applicant has not offered any off-site improvements that would enhance or support pedestrian, bicycle, or public transportation. Applicant proposes to redevelop a long narrow zig-zag shaped property with a single connection to a public street. This does not present itself as a walkable transit-friendly development, but rather an auto-dependent development.

Response: At the appropriate time the Applicant will obtain and provide all necessary easements. The conceptual plan provided for this LUPA application does not provide the connectivity details which would be provided at a site plan level review. (Exhibit L, Page 52)

Applicant asserts that the proposed amendment is consistent with Policy 2.1.2, despite the fact that this amendment seeks to change the land use category and increase the average density.

Response: The application is consistent with policy 2.1.2 because it encourages economic development and redevelopment in the City through the provision of housing opportunities for existing, and new Margate residents. (Page 28)

Applicant asserts that the proposed amendment is consistent with Policy 2.10.2, which was written to protect incompatible uses by considering established character of predominately developed areas. This amendment proposes to redevelop a golf course to residential in a golf course community. Eliminating the open space and recreational use in a golf course community would most definitely change the character of the existing area.

Response: The Applicant states compliance with Policy 2.10.3 which is intended to prevent incompatible uses. In this case, the LUPA is proposing residential uses which already exist in the area. As a result, the proposed use is compatible with the surrounding uses. (Page 29)

COMMENT 25: The noise study submitted in response to the requirements of Section 33-87 of the Code of the City of Margate is unacceptable. This section clearly states that measurements of noise shall not exceed certain limits for more than 12 hours in a 24-hour period. No specific durations of time were indicated in the report. The Code also requires the test be conducted on a normal weekday. The noted test times were: “Friday June 18 Evening / Saturday June 19 Day / Monday June 21 Day.” The Code also specifies that the test is to be conducted where on site where habitation is to occur, and that for multi-story buildings, the appropriate height shall be used. The report did not indicate any test locations or heights. The test did not indicate equipment used, nor did it offer calibration records. Overall, the test did not follow Code requirements and lacked critical information needed to validate the report.

Response: A revised noise study is provided with this resubmittal. (Exhibit U, Page 115)

COMMENT 26: The proposed amendment is not consistent with Policy 1.2.6 of Element I of the Margate Comprehensive Plan as it seeks to increase residential density by reducing the amount recreational land. Applicant acknowledges this and asks the City to change this policy in order to accommodate this proposed development. Staff recommends maintaining the policy so that the community character of existing neighborhoods within dashed-line areas is preserved.

Response: The Application submitted offers an alternative interpretation of the stated policy, as a strict reading of the policy could be construed as a governmental taking by virtue of not permitting a private property owner to make changes to the use of their property. (N/A)

COMMENT 27: The proposed amendment is not consistent with Policy 2.2.1 of Element II of the Margate Comprehensive Plan as the traffic analysis identifies two road segments operating below minimum LOS, this proposed amendment will add trips to those road segments, and no mitigation has been offered. Further, this Policy requires impact analysis to include all roads and intersections within 1.5-mile radius of the proposed development site.

Response: The requested impact analysis has been provided with the resubmittal. (Exhibit M, Page 53)

COMMENT 28: The proposed amendment is not consistent with Policy 5.1.1 of Element I of the Margate Comprehensive Plan as it identifies two overcapacity road links yet offers no mitigation.

Response: We realize that this is a restatement, but the applicant is proposing a Land Use Plan Amendment and has attached a transportation analysis as required by Broward County, such that the County review can occur following City action. In the case where there are roadway segments that currently operate at Level of Service Grade F, there is not a prohibition of any development whatsoever, which would be unreasonable. The requirement is to demonstrate that the proposed change in land use does not increase the capacity by 3% or more. In this case, with the addition of 99 trips, the addition of trips is less than 3%, or to use the term in the attached analysis, de minimis. Note that at the time of a specific site plan, an updated analysis will need to be performed. The role of the transportation analysis attached to this application is to provide a professional engineer’s review of the existing and proposed intensity, and to quantify whether the delta/change is under that 3% threshold, and this application has done so. (Exhibit M, Page 53)

COMMENT 29: The proposed amendment is not consistent with Policy 5.1.2 of Element I of the Margate Comprehensive Plan as a drainage analysis and plan have not been provided, and the response to drainage questions in Part 5D of this LUPA application fails to provide all of the information requested.

Response: The required drainage analysis, as necessary to define what the level of service is for the drainage district, and what must be demonstrated at the time of final design, has been provided with this resubmittal. (Exhibit J, Page 46)

COMMENT 30: The proposed amendment is not consistent with Policy 6.3.4 of Element I of the Margate Comprehensive Plan as it fails to interconnect to adjacent neighborhoods.

Response: Pursuant to Policy 1.11, the appropriate time for specific site plan comments and recommended cross-connections is at the platting and site plan stage, this comment is noted for future reference. . (N/A)

COMMENT 31: The proposed amendment is not consistent with the part G3 of Plan Implementation requirements of Element I of the Margate Comprehensive Plan as it fails to provide for the following:

- Adequate public facilities and services available when needed to serve the amendment site; and

Response: The required analysis is provided with this resubmittal. (Exhibits G through I, Pages 42 to 44)

- Amendment sites consisting of golf courses are required to mitigate the loss of open space to serve the surrounding neighborhood; and

Response: There is no language in the comprehensive plan that supports this conclusion. If such language exists, or records, please cite same so that we can respond accordingly. (N/A)

- Applicant has not provided any analysis for the management of storm water retention even though there is an existing drainage and flow easement that traverses the property and carries storm water from adjacent developments; and

Response: The required analysis is provided with this resubmittal. (Exhibit J, Page 46)

- Applicant has failed to analyze the impact of natural resources on site; and

Response: Page 27 of the application provides an analysis of natural and historic resources. (Page 24)

- Applicant did not submit a Phase 1 environmental assessment; and

Response: References to the Phase 1 environmental analysis have been removed from

this report. (N/A)

- Applicant makes no attempts to integrate the proposed development with the surrounding areas; and

Response: The Land Use Plan Amendment application is intended to establish a maximum density for the parcel. Integration with the surrounding areas can be addressed during the site plan process. (N/A)

- Applicant fails to address affordable housing; and

Response: Affordable housing analysis is provided with this submittal. (Exhibit T, Page 111)

- Applicant fails to address wetlands. Rather, applicant attempts to defer this requirement until permitting.

Response: Page 27 of the application addresses the property wetlands, by advising that none have been identified on the property, further, this comment would be appropriate at a site plan or plat stage. (Page 24)

DEPARTMENTAL COMMENT RESPONSES (LUPA)

BUILDING

1. No comments.

FIRE

Provide secondary means of access for emergency use.

Response: Attached is email correspondence and notes from January 13, 2021 from a preliminary meeting with the City of Margate, in which Andrew Pinney states :

“David Scholl of the Margate Fire Department indicated during the meeting that the development could have a single entrance off of Margate Blvd if certain design criteria were met, such as lane width, turn-around areas for apparatus, fire hydrant spacing, etc.”

We agree that a formal site plan application would need to demonstrate compliance with applicable fire codes. The conceptual site plan attached as an exhibit to the LUPUA analysis was provided to indicate a potential arrangement of units has been provided to demonstrate that the desired density can be developed on the existing parcel, but a formal site plan application is not part of this LUPA request.

PUBLIC WORKS

1. On the site plan it seems the developer is constructing over the existing drainage easement and not relocating the canals that are part of the areas canal system to control any flooding.

Response: Thank you for this comment. Please see the attached conceptual site plan that has been modified slightly to help clear up any misconceptions, as we agree that there are some existing drainage and flowage easements (as shown in Plat Book 78 Page 21) and existing water bodies which do not overlap this platted easement. While the conceptual site plan is intended to convey a potential layout, to address any concern about the proposed density being achievable on site, it was not meant to imply that the drainage and flowage easement would be abandoned or that any existing flowage from neighboring properties through the subject site would be blocked. There may be some coordination needed at such time as a formal site plan is proposed, which will require additional discussions about advantageous ways to re-route drainage and flowage, and accomplish the storage and pre-treatment needed to achieve a drainage permit approval. (Page 51)

2. Kimley-Horn revised letter dated June 21, 2021, 3.4 on page 4 mentions stormwater retention. I would like to see how they intend to relocate the canals. This document seems to repeat itself 3 times.

Response: Please review the attached revised analysis which seeks to explain how the project will achieve a drainage permit, with an emphasis added, along the lines of the response to comment 1 above, that no blockage of flowage is proposed. While it would

be premature to refine this plan to a stage where a formal site plan application could be reviewed, additional explanation has been provided regarding the general means and methods that will be used to accomplish the storage and treatment requirements of the drainage district, which may include the creation of, or modification of, existing water bodies, canals, and the preservation of drainage and flowage transmission through the subject property. (Page 15)

3. The land use plan amendment application needs to have attachment J from Broward County updated to reflect what the developer is actually requesting be constructed. This also will need to show how the 30- foot drainage easement will be maintained or relocated.

Response: The project team has attached an updated Broward County Exhibit J. Please note that position of the County has not changed from 2019, in that the surface water management licensing program could issue a license for the project so long as the project can demonstrate compliance with Chapter 27 Article V and the SFWMD requirements. In addition, and relevant to the comment stated above, the County will require the relocation of drainage easements including flowage responsibilities outlined on the plat, together with a stormwater analysis upstream and downstream of the proposed project as part of their review. The applicant is not asking for any relief from drainage requirements, nor any change to platted flowage easement rights through the subject property. (Page 46)

POLICE

1. No comments.

ENGINEERING

The Director of the Department of Environmental and Engineering Services (DEES), or his qualified designee, has conducted a review of the submitted documentation in accordance with Article IV, Chapter 31 of the City of Margate is Code of Ordinances and finds the following:

PREAMBLE (applicant notes below in bold)

The applicant is requesting to change the land use of the Margate Executive Golf Course from Commercial Recreation to Residential R (10) to allow construction of 200 townhouse units on the property. According to the analysis submitted, the property currently allows for 92 new units, but the applicant is requesting to build additional 108-townhouse units for a total of 200 units. **Note that the applicant has removed any indication as to the type of units, simply referring to ‘residential’ units in all cases, the desired, or ultimate, unit type has not been identified.**

To construct the project, the applicant is proposing to fill in ponds and canals. **This is not accurate; the conceptual plan is provided to demonstrate how 200 units might be arranged on sight, not asking for approval of a specific relocation or modification to the existing water bodies.** These ponds and canals are an integral part of the drainage collection system for the area and are connected to the canal system north of the property. As a result, any modification of the canal section on the Margate Executive Golf Course may affect

properties north of the development. **We agree; and again there is no request to block off or modify the existing flowage or drainage conveyance through the property, when a specific site plan package is prepared, we agree that existing easements and flowage need to be taken into consideration together with site layout elements that may arise during the review and hearing process discussing this land use amendment, and will benefit from the same.**

The entire canal system that flows through the golf course ultimately discharges to the C 14 canal, south of the Margate Executive Golf Course. A detention pond also exists on the Golf Course, which serves to regulate stormwater discharge to downstream communities. **Note that there is no part of this application that is requesting a change in upstream or downstream flowage, and we recognize that when a specific site plan is prepared, this will need to be addressed. Broward County is also aware of this (see attachment J).**

The Margate canal system and detention and retention ponds serve to efficiently hold and discharge stormwater and subsequently reduce the occurrence of flooding in the City of Margate. The critical resources of canals and ponds that exist on the Margate Executive Golf Course cannot be abandoned and the developer must demonstrate how these resources will be rerouted or altered. The developer shall analyze the impact of realigning and or rerouting the canal on upstream and downstream communities. A thorough engineering analysis that includes computer modelling shall be required to demonstrate the impacts of altering the canal.

Again, the possibility of hydrology studies and potential benefits of modeling will be discussed at the site plan stage. Filling of the lakes and canals will change the FEMA flood zone designation and a letter of map change (LOMC) will be required.

A. TRAFFICWAYS

1. For road segments that are categorized as LOS F, the developer shall demonstrate how these segments will be further impacted, and further demonstrate how these impacts will be mitigated.

Response: The applicant is proposing a Land Use Plan Amendment and has prepared a transportation analysis as required by Broward County, such that the County review can occur following City action. In the case where there are roadway segments that currently operate at Level of Service F, there is not a prohibition of any development whatsoever, which would be unreasonable. The requirement is to demonstrate that the proposed change in land use does not contribute external trips in excess of 3.0 percent (3.0%) of a failing roadway's maximum service volume. In this case, the proposed amendment is not expected to add more than 0.6 percent (0.6%) of the service volume of the currently failing segments which is not significant, or to use the term in the attached analysis, de minimis. Note that at the time of a specific site plan, an updated analysis will need to be performed. The role of the transportation analysis attached to this application is to provide a professional engineer's review of the existing and proposed intensity, and to quantify whether the delta/change is under the 3% threshold, and this application has done so. (Page 55)

2. Apply new development trips on the background growth rate that is provided in Tables 10 and 12 and demonstrate what will be the anticipated LOS after the project is completed.

Response: Tables 10 and 12 of the analysis include the anticipated background growth and development trips. As shown, the proposed amendment is not expected to add more than 0.6 percent (0.6%) of the service volume of the currently failing segments. (Page 60)

3. Illustrate how traffic ingress and egress to/from Margate Boulevard is proposed to occur. If a signalized intersection will be considered show what associated modifications will be required on Margate Boulevard.

Response: Please note that a conceptual site plan has been provided to demonstrate that the desired density can be developed on the existing parcel, however, a formal site plan application is not part of this request. There are potential cross access points with neighboring properties, and there is also the opportunity to ultimately design with a single ingress/egress point on Margate Boulevard, neither of which are being defined or requested at this stage. Note that at the time of a specific site plan, an updated analysis will need to be performed. (Page 52)

4. Provide details as to the number of residents expected to walk or use public transportation and illustrate associated walking distances and paths to bus stop(s).

Response: US Census *Journey to Work Data* indicates that approximately 7.8% of residents in the vicinity of the proposed amendment walk or use public transportation to and from work. (Page 63)

5. Provide additional details to support how a trip count of 99 new trips was derived.

Response: The Institute of Transportation Engineers' (ITE) Trip Generation Manual, 10th Edition, was used to calculate the project's trip generation potential. Detailed calculations are included in Exhibit R of the analysis. (Page 94)

6. For trips that exceed 500, a traffic impact study shall be performed for intersection and road segments within a one-mile radius of the site perimeter.

Response: Not applicable, as the amendment is not anticipated to exceed 500 trips. (N/A)

B. POTABLE WATER AND WASTEWATER

Potable Water

1. The submitted analysis incorrectly calculates the net change in potable water

demand as 0.022 MGD. Although the request is to build 200 townhouse units, the calculations are for only 108 townhouses. Please redo calculation for a total of 200 new townhouses.

Response: As discussed at the DRC meeting, the proposed total potential units would be 200 residential units (which are not being identified as townhomes specifically) following approval of the land use plan amendment application, but the analysis required is only for a change in land use to addresses the change in density for the difference between the increase created by the change in density. At this stage of development, the applicant must demonstrate that the proposed density falls within an acceptable level of service for water and sewer, and the calculations provided demonstrate that. (Page 10)

2. DEES calculations suggest that the demand for potable water ought to be around 0.067 MGD and not 0.022 MGD. Redo water and sewer analysis.

Response: Please find the revised analysis per this comment in the attached narrative. (Page 10)

3. Provide an analysis of the existing 12" Asbestos Concrete (AC) distribution main that will supply the development and determine its adequacy based on the additional demand.

Response: *Comprehensive Plan Policy 1.11 provides: "...adopted land development regulations shall continue to provide conditions which must be met by all proposed development prior to platting or site plan approval, which includes minimum standards for first floor elevations, soil compatibility, drainage and storm water management, open space and parks, signage, on-site parking, internal traffic flow and traffic circulation as specified within the adopted Traffic Circulation Element."*

The comprehensive plan clearly acknowledges that there are conditions which are appropriate to review of a proposed plat and/or specific site plan, which includes drainage calculations, specific utility design, and existing facilities adjacent to the site, including an analysis of the 12" main, which may be at the end of its useful life, or may be sufficiently sized for the specific site plan that is filed for review. Timing of this analysis should coincide with the site plan and/or plat applications. (N/A)

4. The 12" AC pipe that is located on Margate Boulevard is at the end of its useful life and will need to be replaced.

Response: Please see the comment response above. (N/A)

Wastewater

1. Provide Engineering analysis to demonstrate that the existing 12" VCP collection

sewer main has the capacity to service the new 200-townhouse development.

Response: Please review the attached analysis; aimed at satisfying the question of whether the wastewater treatment plant has capacity for a maximum potential additional capacity associated with the increase in residential density. The project specific site plan will need to provide additional analysis in terms of point of connection, existing conditions of infrastructure associated with the project including the sewer main, and existing lift station. This also provides the benefit of tying that analysis closer to a site plan approval and construction, at which time the conditions and assessment of facilities would need to be re-done in any case to verify existing efficiencies or lack thereof. (Page 12)

2. Provide Engineering analysis of the receiving lift station (L.S 24) to determine surplus capacity for the additional flows.

Response: Please see the response to #1 above. (Page 12)

- 3 If surplus capacity is unavailable, the developer shall demonstrate how sewage collection and disposal will occur.

Response: The capacity being discussed in the attached analysis is tied to the wastewater treatment plant, not specific lift station and/or sewer mains. (Page 12)

C. DRAINAGE

1. The lake and canal system are in an AE Flood Zone. The Base Flood Elevation (BFE) is this AE zone is 11.00 feet.

Response: Acknowledged. (N/A)

2. Demonstrate that there will be no impact to filling in the existing lake and canal.

Response: As stated above, there is no request to block off or modify the existing flowage or drainage conveyance through the property, when a specific site plan package is prepared, we agree that existing easements and flowage need to be taken into consideration together with site layout elements that may arise during the review and hearing process discussing this land use amendment, and will benefit from the same. (N/A)

3. Provide details of how the existing drainage facilities will be abandoned to allow construction.

Response: The project is not at the design stage, which is to say it is premature to take a position on existing water bodies and drainage facilities, in terms of which ones will be redesigned and which ones may be impacted. (N/A)

4. Demonstrate how the impacts to drainage systems that discharge into the existing lake will be managed
5. Provide a stormwater analysis to illustrate how water quality will be achieved
6. Provide a hydraulic analysis to demonstrate that filling in the lake, realigning, and rerouting the canal will not result in higher flood levels nor otherwise create negative impacts on communities upstream and downstream of the project.
7. Provide a hydraulic analysis to demonstrate that filling in the lake, realigning, and rerouting the canal will not result in higher flood levels nor otherwise create negative impacts on communities upstream and downstream of the project

Response: For comments 4-7, the preparation of a specific and detailed site plan package will need to include careful consideration of the existing drainage and flowage rights, a geotechnical report on soils to establish a percolation rate, and review a project design that benefits from the community input during this land use plan process, feedback from neighbors, and a design that incorporates all the requirements from the drainage authority in terms of existing and proposed facilities and design, such that a drainage permit can be achieved. (N/A)

D. FLOODPLAIN

The canal that flows through the property is in a FEMA flood Zone AE (11.00 feet). The open space that was provided is contiguous with the canal and is in a Shaded X flood zone.

Filling of the lakes and canals may change the FEMA flood zone designation and a letter of map change (LOMC) may be required based on the altered ground elevations after engineered fill is placed.

Any alteration or relocation of the canal should not increase the community's flood risk or those of any adjacent community, or any community upstream or downstream. The altered or relocated channel shall have at a minimum the carrying capacity of the original channel.

After altering a channel, the developer may be required to assume responsibility for maintaining the capacity of the modified channel in the future.

Federal, State, and local surface water management district permits may be required for any alteration or relocation activity.

Response: The preparation of a specific and detailed site plan package will need to include careful consideration of the existing drainage and flowage rights, a geotechnical report on soils to establish a percolation rate, and review a project design that benefits from the community input during this land use plan process, feedback from neighbors, and a design that incorporates all the requirements from the drainage authority in terms of existing and proposed facilities and

design, such that a drainage permit can be achieved. (N/A)

E. SOLID WASTE

The developer shall consult with the city's solid waste contractor to determine their requirements to service this development.

Response: Please find attached the correspondence from Waste Management confirming their capacity to serve the project at a maximum intensity of 200 residential units. (Page 44)

F. RECREATION

Show what recreational facilities and open space will be provided to service 200 new townhouses.

Response: Please review attached conceptual site plan, provided for reference only, which has been modified to show some potential locations of open space and amenities on site, and does not specify townhomes as the unit type. (Page 2)

DEVELOPMENT SERVICES

After review of the above referenced DRC application, the Development Services Department has provided the following comments and advisory notes. Comments require a written response from the applicant and correction(s) to the application. Advisory notes are provided as a statement of fact.

ADVISORY NOTE 1: This application is for a land use plan amendment and is therefore subject to the requirements of Chapter 31 of the Code of the City of Margate as well as Plan Implementation procedures described in Element I of the Margate Comprehensive Plan.

Response: Acknowledged.

Subject Property:

The subject property is a ~21.3-acre site located at 7870 Margate Blvd. The subject property is a 9-hole executive golf course with a peculiar zig-zag shape, such that it is relatively narrow, and juts back and forth as it weaves into and around adjacent developments. The subject property is bounded to the north by Oriole Margate VI (Residential, 4 units per acre), Margate Boulevard, and Garden Patio Villas (Residential, 7-units per acre). The subject property is bounded to the east by Garden Patio Villas (Residential, 7-units per acre) and Oriole Gardens Phase II (Residential, 17-units per acre). The subject property is bounded to the south by Oriole Gardens Phase II (Residential, 17-units per acre). The subject property is bounded to west by Oriole Margate VI (Residential, 4 units per acre) and Oriole Gardens Phase II (Residential, 17-units per acre). The subject property is located within the S-1 Recreational zoning district, has an underlying land use designation of Commercial Recreation, and within a Dashed-Line Area that is limited to an overall average residential density of 7.6 units per acre. The subject property is designated as "Recreation and Open Space" in the BrowardNext Land Use Plan.

COMMENT 1: This Land Use Plan Amendment (LUPA) application incorrectly identifies the

current zoning designation as “R3A-MULTIPLE FAMILY DWELLING” on the DRC application form.

Response: Application has been updated. (N/A)

COMMENT 2: Section 1B of this LUPA application indicates the Local Government Contact is Elizabeth Taschereau, AICP. Remove the AICP designation from Ms. Taschereau’s name. Insert the word “Services” between Development and Department.

Response: Application has been updated. (N/A)

COMMENT 3: Section 2D, on page 7, of this LUPA application indicates that the acreage of the dashed line area where the subject property is located is 109.8 acres, and points to a letter issued by the Broward County Planning Council as Exhibit A. This letter, dated January 31, 2019, was written by Barbara Blake Boy, Executive Director, was sent to Cynthia Pasch, with copies sent to the Margate City Manager and Development Services Director.

The original letter included a graphic exhibit enclosed with the letter. This graphic exhibit was not included with applicant’s Exhibit A. The graphic exhibit included with the letter clearly showed that the BCPC acreage determination included land outside the jurisdictional limits of the City of Margate, and thus the acreage presented in the letter is inaccurate. Staff verbally advised Mark Rickards, AICP of the inaccuracy of this letter on June 10, 2021, but the applicant chose to proceed with the BCPC letter, and omit the attachment.

The BCPC letter also clearly states on page 2, “Planning Council staff notes that this calculation is based on the information that you provided and that the information should not be utilized for official purposes unless independently accepted by the local government.” The City of Margate finds this acreage determination unacceptable.

Response: Please find revised BCPC correspondence attached. (Page 31)

COMMENT 4: Section 2D, on page 7, of this LUPA application includes, “The Applicant’s Development Plan for 200 townhouse units was designed with consideration given to the surrounding residential areas so that the resulting development will be compatible with the uses and densities in the surrounding area.” Please elaborate design elements and efforts for compatibility. The applicant’s rationale points to residential developments to the south and east while ignoring the single-family neighborhood contiguous to the west and north sides of the subject property. The single-family neighborhood to the west/north as well as the multi-family villas to the east/north are both single story developments, which raises compatibility concerns when compared against the multi-story multifamily development proposed by this application.

Response: The proposed residential development serves as an excellent transition between the existing residential developments that surround the project in proximity to the existing commercial uses in the area. Furthermore, the site plan, once completed will provide for a code compliant suitable buffer (which would supplement in cases the existing significant fencing and landscaping on adjacent properties) between uses which will serve to provide more privacy to the existing residential units. Its worthy of discussion to note that where there are existing residential development parcels with no buffer, and no landscaping with the exception of sod, that lack of buffer material on the adjacent properties, it is assumed to

comply with the landscaping rules in place at the time of their construction. Additionally, note that there exists today instances of multi-story and single story residential development adjacent to each other in proximity to this project which do not contradict the Margate Land Development Regulations. (N/A)

COMMENT 5: Section 2D, on page 8, of this LUPA application includes, “To the extent that the shopping center is revitalized, it could result in fewer trips on Rock Island Road and beyond by keeping some commercial activities limited to the nearby shopping center. Vehicle trips could even be eliminated if people choose to walk to the shopping center.” Elucidate exactly how building 200 new homes in a suburban setting, near the terminating point of a dead-end road, will reduce traffic on nearby arterial roads; cite sources.

Response: Pursuant to relevant trip data analysis, it is anticipated that the Applicant’s project will generate less than 100 new trips. Furthermore, the project will be designed in a manner to create a sense of pedestrian connectivity between the proposed project, and neighboring properties including the pedestrian sidewalk on Margate Boulevard. (Page 57)

COMMENT 6: Section 3A, on page 8, of this LUPA application indicates that the net acreage of the subject property is 21.3 +/- acres, and the gross acreage of the subject property is 22.0+/- acres. The application form submitted by applicant indicates the acreage of the subject property is 20.82 acres. Provide a signed survey that indicates both net and gross site acreage.

Response: Find signed and sealed survey attached with accurate acreage provided. (Page 36)

COMMENT 7: Section 4C, on page 9, of this LUPA application fails to recognize the single-family homes adjacent to a portion of the north property line. The shopping center to the east is not adjacent to the subject property. This section incorrectly identifies townhomes to the east, these are single story villas, which is a type of multi-family.

Response: The adjacent parcels have all been correctly identified. (N/A)

COMMENT 8: Section 4D, on pages 9, of this LUPA application indicates that 92 dwelling units are available within the Dashed Line Area. This is incorrect, as it is based on the inaccurate acreage determination described above in Comment 3. Further, increasing the average density to 8.6 will not provide sufficient dwelling units to build the requested 200 new units. Corrections are required throughout the application.

Response: The application has been updated with the correct information. (Pages 10 through 27)

COMMENT 9: Section 5, on pages 10 through 27, of this LUPA application provides a flawed analysis based on 108 new townhouses. The assumed acreage of the dashed-line area is incorrectly stated as 109.8 acres and thereby the amount of available units assumed is incorrect, thus the impact analysis based on 108 new units is incorrect. Any citation of the “City of Margate Code of Ordinances” shall include the appropriate chapter and section numbers. Further, no mitigation strategies have been offered.

Response: Corrections have been made throughout and proper code sections cited as

required.

COMMENT 10: Exhibit K of this LUPA application is not an “up-to-date inventory of municipal community parks” as required by Section 5E2 on page 17 of this LUPA application.

Response: Please find the previously provided park inventory attached, the applicant has requested additional data if available, as there have been no changes in park inventory that we are aware of. (Exhibit K, Page 48 through 50)

COMMENT 11: Section 6F, on page 28, of this LUPA application requires the identification of protected wildlife species and depiction of the habitat locations on a map. The response acknowledged the presence of burrowing owls but did not include a map.

Response: Please find enclosed a revised narrative regarding section 6F, and attached to this comment response letter we are providing an exhibit indicating known burrow locations, note that these burrows are created and abandoned throughout the year, as the burrowing owl habitat is far reaching, favoring open prairie / cleared areas such as the FPL transmission line easement running through Margate, swale areas, and other areas with limited understory plantings. The map is intended to reflect existing locations, and to acknowledge that, similarly to any development parcel in Margate that has been cleared, proper and lawful care will need to be taken prior to redevelopment activities. (Attached Exhibit 1, Page 22)

COMMENT 12: Exhibit M, starting on page 58 of this LUPA application, has a number of issues.

- The author of the analysis is not identified. Identify author and explain how the author is qualified to provide such an analysis.

Response: Please find author information and identification provided on the revised Exhibit M. (Exhibit M, Page 54)

- Part A1 asks for the roadways impacted by the proposed amendment and for the applicant to identify the number of lanes, current traffic volumes, adopted level of service and current level of service. The response provided only identifies three roads and fails to correctly identify adopted level of service. A trip distribution model is referenced in this analysis, and said model identifies 13 roads, indicating that trips will be distributed on nine of them. Response is incomplete. This analysis incorrectly identifies the exhibit number for this model.

Response: The provided response to part A1 provides the requested information in the discussion and in Table 1. Furthermore, the analysis was prepared for roadway segments that are expected to serve a significant proportion of project traffic. The requirement is to demonstrate that the proposed change in land use does not contribute external trips in excess of 3.0 percent (3.0%) of a failing roadway's maximum service volume. Therefore, the analysis only include segments along the identified roadways directly adjacent to the project site. This is the appropriate response. (Exhibit M, Page 53 through 66)

- Response to A3 incorrectly identifies acreage of the dashed-line area and confuses site density with average density. The analysis indicates that it relies on the Institute of Transportation Engineer's (ITE) Trip General Manual, 10th Edition. Where in the ITE 10th edition does it allow for a multi-modal trip reduction factor within a single use townhouse development situated in a suburban setting?

Response: Multimodal trip reduction factors are based on the availability of transit routes in the vicinity of a project as well as US Census data identifying the expected number of residents that walk, bike, or use transit. Unlike internal capture reductions, the fact that the project is comprised of a single use does not impact the eligibility of applying a multimodal trip reduction factor. (Exhibit N, Page 68 to 81)

Please explain how peak hour trips are expected to be reduced on Margate Boulevard, east of NW 80th Avenue, in 2040. Margate Boulevard terminates at NW 80th Avenue.

Response: As described above; there are no improvements on Margate Boulevard which directly arise from the transportation analysis attached, while this comment may be appropriate at the site plan stage, the de minimus impacts of the land use amendment do not indicate a need to address Margate Boulevard. The peak hour volumes used in the analysis are provided by Broward Metropolitan Planning Organization (MPO). (Exhibit M, Page 60)

- Part B1 asks for transit routes within 1/4 mile. Report incorrectly identifies routes on Atlantic Boulevard.

Response: Atlantic Boulevard is within ¼ mile of the project site, and is a Broward County Transit Route.

- Response to part B2 continues to incorrectly assert that the subject property is within 1/4 mile of BCT bus routes and inner-city shuttle routes on Atlantic Blvd.

Response: Atlantic Boulevard is within ¼ mile of the project site, and is a Broward County Transit Route.

COMMENT 13: Exhibit P, starting on page 70 of this LUPA application, is not the most current letter, and indicates a proposed development of 180 townhouses, rather than the 200 stated throughout the rest of this application.

Response: Exhibit P correctly identifies the number of units agreed to at the DRC meeting that need to be evaluated. (Exhibit P, Page 90)

COMMENT 14: Exhibit Q, starting on page 72 of this LUPA application, repeats Exhibit P, SBBC letter issued December 17, 2018, rather than providing Trip Generation Calculations as indicated by the title of the exhibit.

Response: Exhibit Q has been updated. (Exhibit Q, Page 92)

COMMENT 15: Exhibit R, starting on page 74 of this LUPA application, fails to identify AM

peak hour trips and daily average trips.

Response: Exhibit R has been updated. (Exhibit R, Page 94)

COMMENT 16: Exhibit R, starting on page 79 of this LUPA application, is listed twice for different exhibits. The second Exhibit R fails to identify the subject property on the map and fails to identify acronyms used.

Response: The appropriate exhibit has been properly labeled and attached. (Exhibit R, Page 94)

COMMENT 17: Response to Part 5E5, on page 20 of this LUPA application references a Phase I environmental site assessment report as Exhibit M, however no such report was included with this application. As noted above, Exhibit M is a problematic transportation analysis.

Response: References to the Phase I ESA have been removed from this document. With regard to Exhibit M, please provide clarification on the problematic elements. (n/a)

COMMENT 18: Response to Part 5E5, on page 19 of this LUPA application, fails to adequately address Policy 2.5.5a. In what way will this project mitigate the loss of recreation and open space in the surrounding neighborhood?

Response: Part 5E5 has been updated. According to the inventory analysis the City has abundant recreation and open space to accommodate existing and future Margate residents. (Exhibit K, Page 49 to 50)

COMMENT 19: Response to Part 5E5, on page 20 of this LUPA application, fails to adequately address Policy 2.5.5e. The conceptual master plan provided shows new buildings blocking two of the best potential connection points to adjacent private residential developments. No cross-access agreements, nor access easement dedications, with adjacent properties have been provided. This proposal appears to encourage isolation and sprawl which contradicts Policy 2.5.5.

Response: Part 5E5 has been updated. It is not appropriate to define access easements in connection with a conceptual plan. With that said, the applicant is not against same. (Exhibit L, Page 52)

COMMENT 20: Response to Part 5E5, on page 20 of this LUPA application, fails to adequately address Policy 2.5.5b. A tree survey of the property has not been provided. This survey would identify tree canopy and historic trees on the subject property.

Response: Part 5E5 has been updated and a tree survey provided. (Exhibit C, Page 37)

COMMENT 21: Response to Part 5E5, on pages 18-19 of this LUPA application, fails to adequately address Policy 2.5.4. Response indicates that the conceptual master plan lays out the project on site and depicts the provision of recreation and open space. No such areas are spatially identified on the conceptual master plan.

Response: The provided conceptual plan, which indicates a generalized layout, does

show open space areas, buffer areas, potential roadway layouts, and acknowledges that all development must comply with R-3 regulations when a formal site plan is submitted. Additionally, are you referring to Margate 2.0 with the Policy reference? Additional clarification is requested. (Exhibit L, Page 52)

COMMENT 22: Response to Part 7, on page 29 of this LUPA application, is illogical and incorrect. Response acknowledges that affordable housing is required for amendments adding 100 or dwelling units, notes that this amendment is seeking 108 additional units, and then concludes that affordable housing analysis is not required.

Response: Part 7 has been updated and an affordable housing study has been provided. (Exhibit T, Page 110 through 113)

COMMENT 23: Response to Part 8, on pages 29-30 of this LUPA application fails to acknowledge the fact that those high-density developments are buffered by the vast open spaces of golf courses, including the subject property. Redeveloping this golf course to moderately dense residential would drastically alter the community character of the area by removing open space and recreational opportunity in the neighborhood. This response is misleading toward the current adjacent uses. It describes an age restricted (55+) condominium being adjacent to single-family, therefore the proposed townhouses would be compatible. The condominiums that abut the single family have buildings oriented such that the narrow side of the rectangular buildings face the single-family homes, thus reducing visual impacts and privacy concerns. That condominium development abuts a total of five single-family home sites, whereas applicant proposes building townhouses along 16 individual sites of single-family homes. The conceptual master plan has the townhouses oriented with the broad side of the rectangular buildings facing the backyards of those single-story houses, which presents the greatest visual impacts and loss of privacy.

This response indicates that recreation amenities will be provided, yet, the conceptual master plan does not depict any recreational areas. This response incorrectly identifies an adjacent development as townhouses.

Response: The R-3 District is listed as Low-Density Multiple Dwelling in Section 5.1. The maximum density requested of 200 units would equate to roughly 10 units per acre. This density is reasonable and appropriate to the surrounding uses. The attached conceptual plan is provided for clarity purposes, not for review as a formal site plan application. The subject property, it is acknowledged, must prepare and submit a formal site plan which meets and/or exceeds the property development regulations in place at the time of the submittal. Under the current zoning, there is development potential that would also be adjacent to age restricted residential buildings, there has not been a site plan application submitted defining height or asking for a two-story product. The proposed project is compatible with the existing developments as it adds to the residential stock in the city by providing an additional housing option to the existing and future residents in the City of Margate. Comment 23 seems to say that a residential use cannot be compatible with the surrounding residential uses without providing specific concerns for reference in a future submittal of a specific site plan. (Exhibit L, Page 52)

COMMENT 24: Response to Part 12, on page 31 of this LUPA application describes the

development plan as 188 townhouses. Every other reference in this application seems to be for 200 townhouses.

Response: The LUPA application has been updated to be consistent throughout with 200 residential units, deleting any specific mention of townhouses per se to avoid confusion. (Exhibit A, Page 31)

Response argues that this development is consistent with “Smart Growth” policies. Policies 2.20.1 through 2.20.17 of BrowardNext apply Smart Growth principles. Staff disagrees with applicant’s position that the redevelopment is consistent with promoting Smart Growth, based on the following:

POLICY 2.20.4 Broward County shall promote and encourage, and shall implement to the maximum extent feasible where appropriate for those (re)development projects and lands owned by the County or within unincorporated areas, **the preservation and creation of open space**, areas of natural beauty, community gardens and similar uses, designed on an urban scale and suitable for an urban mixed use neighborhood, for perpetual public use.

Response: The referenced policy speaks to property owned by Broward County, or in unincorporated areas. This property is owned by a private party; therefore, this policy is not applicable. (N/A)

The proposal is to redevelop 21.3 acres of recreational open space into townhouses. This is the opposite of preserving and creating open space for perpetual public use.

POLICY 2.20.6 Broward County shall promote and encourage, and shall implement to the maximum extent feasible for those (re)development projects and lands owned by the County or within unincorporated areas, mixed land uses serviced by a variety of transportation modes within an integrated transportation network, and link intensive development to existing or planned pedestrian, bicycle and public transportation nodes or corridors.

Response: The referenced policy speaks to property owned by Broward County, or in unincorporated areas. This property is owned by a private party and I slocated within the municipal boundaries of Margate; therefore, this policy is not applicable. (N/A)

POLICY 2.20.7 Broward County shall promote and encourage, and shall implement to the maximum extent feasible for those (re)development projects and lands owned by the County or within unincorporated areas, the **creation of walkable sites, neighborhoods and community designs that are accessible to and address the needs of all users and support healthy lifestyles using public venues, inclusive of all modes of transportation in a manner generally consistent with the Broward Complete Streets Guidelines**, or equivalent principles.

Response: The referenced policy speaks to property owned by Broward County, or in unincorporated areas. This property is owned by a private party and I slocated within the municipal boundaries of Margate; therefore, this policy is not applicable. (N/A)

POLICY 2.20.12 Broward County shall promote and encourage, and shall implement to the maximum extent feasible for those (re)development projects and lands owned by the County or within unincorporated areas, to take advantage of compact building design to preserve more open space, support a complete range of transportation choices, make public transportation viable, reduce public infrastructure cost and improve the health condition of residents and the wider community, in a manner generally consistent with the Broward Complete Streets Guidelines, or equivalent principles.

Response: The referenced policy speaks to property owned by Broward County, or in unincorporated areas. This property is owned by a private party; therefore, this policy is not applicable. (N/A)

POLICY 2.20.13 Adopt, implement, and encourage provisions, incentives, and methods to reduce future per capita use of natural and nonrenewable resources such as water and fossil-fuel energy, and reduce the production of potentially harmful waste materials.

Response: The addition of residential units does not increase the production of potentially harmful waste material. The referenced policy places the responsibility to implement appropriate provisions in the City's Comprehensive Plan on the municipality. As referenced in the adopted comprehensive plan, future land use element, residential uses currently make up 75% of the City, at an overall density of 5.7 dwelling units per acre, a few policies bear mentioning which would benefit this second review of the land use plan application. (N/A)

Policy 1.11 Adopted land development regulations shall continue to provide conditions which must be met by all proposed development prior to platting or site plan approval, which includes minimum standards for first floor elevations, soil compatibility, drainage and storm water management, open space and parks, signage, on-site parking, internal traffic flow and traffic circulation as specified within the adopted Traffic Circulation Element.

Emphasis added above, the comprehensive plan clearly acknowledges that there are conditions which are appropriate to review of a proposed plat and/or specific site plan, which includes drainage calculations, open space/recreational area design, and specific land development regulations relative to the site plan design. (Exhibit L, Page 52)

Policy 4.4 The use of Planned Unit Development (PUD) zoning should be promoted, encouraging mixed-use projects with lower development costs and assured provision of utilities, roads, open space, and other amenities.

The project is not proposing a rezoning to PUD. The rezoning application has been amended to reflect a desire to rezone to R-3. (See Application)

Objective 11 Discourage urban sprawl and encourage a separation of urban and rural

land uses by directing new development into areas where necessary regional and community facilities and services exist.

The conversion of a declining golf course surrounded by residential uses, creating a neighboring community in proximity to existing services, commercial uses, and other facilities acts to discourage urban sprawl. (Page 28)

Policy 13.19 It is the intent of the City of Margate to recognize and respect judicially acknowledged or constitutional protected private property rights. It is the intent of the City of Margate that all ordinances, regulations, and programs adopted pursuant to the TOC must be developed, promulgated, implemented, and applied with sensitivity for private property rights and not be unduly restrictive, and property owners must be free from actions of others which would harm their property.

While the second half of this policy is directed toward the Transit Oriented Corridor, which does not include this parcel, it is important to include the recognized intent of the City of Margate to respect constitutionally protected private property rights. (N/A)

The applicant has not provided any access easements or cross-access agreements needed to integrate into the adjacent properties. The applicant has not offered any off-site improvements that would enhance or support pedestrian, bicycle, or public transportation. Applicant proposes to redevelop a long narrow zig-zag shaped property with a single connection to a public street. This does not present itself as a walkable transit-friendly development, but rather an auto-dependent development.

Response: At the appropriate time the Applicant will obtain and provide all necessary easements. The conceptual plan provided for this LUPA application does not provide the connectivity details which would be provided at a site plan level review. (Exhibit L, Page 52)

Applicant asserts that the proposed amendment is consistent with Policy 2.1.2, despite the fact that this amendment seeks to change the land use category and increase the average density.

Response: The application is consistent with policy 2.1.2 because it encourages economic development and redevelopment in the City through the provision of housing opportunities for existing, and new Margate residents. (Page 28)

Applicant asserts that the proposed amendment is consistent with Policy 2.10.2, which was written to protect incompatible uses by considering established character of predominately developed areas. This amendment proposes to redevelop a golf course to residential in a golf course community. Eliminating the open space and recreational use in a golf course community would most definitely change the character of the existing area.

Response: The Applicant states compliance with Policy 2.10.3 which is intended to prevent incompatible uses. In this case, the LUPA is proposing residential uses which already exist in the area. As a result, the proposed use is compatible with the surrounding uses. (Page 29)

COMMENT 25: The noise study submitted in response to the requirements of Section 33-87 of the Code of the City of Margate is unacceptable. This section clearly states that measurements of noise shall not exceed certain limits for more than 12 hours in a 24-hour period. No specific durations of time were indicated in the report. The Code also requires the test be conducted on a normal weekday. The noted test times were: “Friday June 18 Evening / Saturday June 19 Day / Monday June 21 Day.” The Code also specifies that the test is to be conducted where on site where habitation is to occur, and that for multi-story buildings, the appropriate height shall be used. The report did not indicate any test locations or heights. The test did not indicate equipment used, nor did it offer calibration records. Overall, the test did not follow Code requirements and lacked critical information needed to validate the report.

Response: A revised noise study is provided with this resubmittal. (Exhibit U, Page 115)

COMMENT 26: The proposed amendment is not consistent with Policy 1.2.6 of Element I of the Margate Comprehensive Plan as it seeks to increase residential density by reducing the amount recreational land. Applicant acknowledges this and asks the City to change this policy in order to accommodate this proposed development. Staff recommends maintaining the policy so that the community character of existing neighborhoods within dashed-line areas is preserved.

Response: The Application submitted offers an alternative interpretation of the stated policy, as a strict reading of the policy could be construed as a governmental taking by virtue of not permitting a private property owner to make changes to the use of their property. (N/A)

COMMENT 27: The proposed amendment is not consistent with Policy 2.2.1 of Element II of the Margate Comprehensive Plan as the traffic analysis identifies two road segments operating below minimum LOS, this proposed amendment will add trips to those road segments, and no mitigation has been offered. Further, this Policy requires impact analysis to include all roads and intersections within 1.5-mile radius of the proposed development site.

Response: The requested impact analysis has been provided with the resubmittal. (Exhibit M, Page 53)

COMMENT 28: The proposed amendment is not consistent with Policy 5.1.1 of Element I of the Margate Comprehensive Plan as it identifies two overcapacity road links yet offers no mitigation.

Response: We realize that this is a restatement, but the applicant is proposing a Land Use Plan Amendment and has attached a transportation analysis as required by Broward County, such that the County review can occur following City action. In the case where there are roadway segments that currently operate at Level of Service Grade F, there is not a prohibition of any development whatsoever, which would be unreasonable. The requirement is to demonstrate that the proposed change in land use does not increase the capacity by 3% or more. In this case, with the addition of 99 trips, the addition of trips is less than 3%, or to use the term in the attached analysis, de minimis. Note that at the time of a specific site plan, an updated analysis will need to be performed. The role of the transportation analysis attached to this application is to provide a professional engineer’s review of the existing and proposed intensity, and to quantify whether the delta/change is under that 3% threshold, and this application has done so. (Exhibit M, Page 53)

COMMENT 29: The proposed amendment is not consistent with Policy 5.1.2 of Element I of the Margate Comprehensive Plan as a drainage analysis and plan have not been provided, and the response to drainage questions in Part 5D of this LUPA application fails to provide all of the information requested.

Response: The required drainage analysis, as necessary to define what the level of service is for the drainage district, and what must be demonstrated at the time of final design, has been provided with this resubmittal. (Exhibit J, Page 46)

COMMENT 30: The proposed amendment is not consistent with Policy 6.3.4 of Element I of the Margate Comprehensive Plan as it fails to interconnect to adjacent neighborhoods.

Response: Pursuant to Policy 1.11, the appropriate time for specific site plan comments and recommended cross-connections is at the platting and site plan stage, this comment is noted for future reference. . (N/A)

COMMENT 31: The proposed amendment is not consistent with the part G3 of Plan Implementation requirements of Element I of the Margate Comprehensive Plan as it fails to provide for the following:

- Adequate public facilities and services available when needed to serve the amendment site; and

Response: The required analysis is provided with this resubmittal. (Exhibits G through I, Pages 42 to 44)

- Amendment sites consisting of golf courses are required to mitigate the loss of open space to serve the surrounding neighborhood; and

Response: There is no language in the comprehensive plan that supports this conclusion. If such language exists, or records, please cite same so that we can respond accordingly. (N/A)

- Applicant has not provided any analysis for the management of storm water retention even though there is an existing drainage and flow easement that traverses the property and carries storm water from adjacent developments; and

Response: The required analysis is provided with this resubmittal. (Exhibit J, Page 46)

- Applicant has failed to analyze the impact of natural resources on site; and

Response: Page 27 of the application provides an analysis of natural and historic resources. (Page 24)

- Applicant did not submit a Phase 1 environmental assessment; and

Response: References to the Phase 1 environmental analysis have been removed from

this report. (N/A)

- Applicant makes no attempts to integrate the proposed development with the surrounding areas; and

Response: The Land Use Plan Amendment application is intended to establish a maximum density for the parcel. Integration with the surrounding areas can be addressed during the site plan process. (N/A)

- Applicant fails to address affordable housing; and

Response: Affordable housing analysis is provided with this submittal. (Exhibit T, Page 111)

- Applicant fails to address wetlands. Rather, applicant attempts to defer this requirement until permitting.

Response: Page 27 of the application addresses the property wetlands, by advising that none have been identified on the property, further, this comment would be appropriate at a site plan or plat stage. (Page 24)