



CITY OF MARGATE

DEVELOPMENT REVIEW COMMITTEE (DRC) REVIEW #2

NOVEMBER 23, 2021

Meeting Location:

Commission Chambers

5790 Margate Blvd, Margate, FL, 33063

PROJECT NAME:	Margate Executive Golf Course		
PROJECT NUMBER:	2021-481		
LOCATION:	7870 Margate Blvd		
APPLICANT/AGENT:	Mark Rickards, Kimley-Horn agent for Michael Fimiani, Margate Executive Golf Course, LLC.		
REVIEW/APPLICATION	Land Use Plan Amendment		
DISCIPLINE	REVIEWER	EMAIL	TELEPHONE
DRC Chairman	Elizabeth Taschereau – Director	etaschereau@margatefl.com	(954) 884-3686
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Police	Cpt. Joseph Galaska – Police Department	jgalaska@margatefl.com	(954) 935-5429
Police	Sergeant Paul Frankenhauser – Traffic	pfranken@margatefl.com	(954) 972-7111

Any questions regarding the DRC comments, please contact the appropriate department.

Applicant is required to provide a response to EACH DRC comment and to revise plans accordingly (*acknowledgements are not corrections*).

ALL corrections must be provided in ONE submittal package at the time of the submittal appointment with a DSD planner.

DRC comments follow.

NOTE: Please email city staff with names, title and companies from your team that will be in attendance at the DRC meeting and indicate if they will be attending in-person or by zoom.

DEPARTMENTAL COMMENTS

BUILDING

1. No comments.

FIRE

1. Provide secondary means of access for emergency use. **[COMMENT ONGOING: 7/27/2021]**

PUBLIC WORKS

1. On exhibit L what does a “proposed” 30-foot drainage flowage easement alignment mean? The work proposed should be removed and say a “required” 30-foot drainage flowage easement alignment.
2. On the exhibit list under the Springdale Village Analysis Exhibits there is no letter J.
3. Exhibit J is mentioned in the Drainage service letter dated 2018. This letter states that the surrounding properties must remain connected and a SFWMD permit will be required along with a stormwater analysis study.
4. It is mentioned that Kimberly-Horn revised the drainage letter (exhibit J) on June 21, 2021 but I do not see a copy of that attached anywhere.
5. On the Broward County Planning Council Plan Amendment Requirement and Procedure check list there is a N/A under number 4B and 5B of the drainage section. Why are these N/A?4.
6. Since there was no provision in the conceptual master plan or other submittal docs that depict any type or level of stormwater infrastructure or information that could be construed as a feasible structured approach to formulating a consideration for drainage, the comments from Public Works are limited. It is necessary for the applicant to provide more specific design considerations to ensure that future development does not impede or restrict stormwater flows, rates of flows or total storage through the site.
7. In addition, the developer is to ensure that maintenance of the stormwater system is allowed for public and private areas that use the existing canal system under current conditions or better to ensure capacity requirements.

POLICE

1. The traffic study, as currently presented, do not provide information regarding the impact to existing residential roadways along NW 76th Avenue or NW 80th Avenue. The reduction in traffic counts spanning future years, given the anticipated population increase from the proposed new development, does not seem accurate.

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 Code of Ordinances and finds the following:

PREAMBLE

The petitioner is seeking to build 149 units more than the 51 that are allowed, on land that is currently zoned as open space and referred to Margate Executive Golf Course. In essence, the petitioner is seeking a two fold amendment: first to change the land use from open space to residential and second, to increase the building density from 7.6 units per acre to 9.03.

In his response to DEES July 19th comments, the petitioner has made several inaccurate statements. For example, denial that ponds and canals will be filled in to construct the project, no request to block off or modify the existing flowage, and denial that the application is requesting a change in upstream or downstream flowage. Furthermore, in his response, the petitioner has requested to delay all the critical engineering analyses that will determine if the project is feasible from an engineering perspective. While there may be aspects of the project that can certainly be delayed, the ability to maintain a functional drainage system,

supply potable water, and collect and dispose of sewage, are fundamental to the feasibility of the proposed project, and therefore DEES is requesting that these analyses be performed with this application. Moreover, in a letter dated December 7, 2018, from Broward County Surface Water Licensing Program, the petitioner was advised to perform stormwater analyses to demonstrate that the proposed project will provide water quality treatment prior to discharging into the canal system and that the proposed project will NOT cause adverse drainage impacts upstream and downstream of the project.

The current sewer collection system was never designed to accommodate 200 residential units on the Margate Executive Golf Course. Sewage collection over the 9 square mile service area and conveyance to the treatment plant on NW 66th Avenue, is accomplished through a series of Lift Stations and forced mains.

The closest lift station to the proposed development on the old Margate Golf Course, is Lift Station (LS) #24. The petitioner is again requested to analyze LS # 24 to determine capacity and show what upgrades would be necessary (by the developer) to service the proposed project.

The Springdale Village Report was prepared by Kimely Horn and Associates (KHA), on behalf of the petitioner in support of the requested waivers. This report repeatedly and incorrectly uses the number of additional units (149), as the design criteria rather than the total number of new units, which is 200 (unbuilt units of 51 plus number of additional units 149 for a grand total of 200). Section 31-37 of the City Code requires that the maximum impact of the proposed development shall be assessed and therefore an accurate number of total new residential units shall be used to assess the actual project's impact. DEES finds the Springdale Village Report to be illogical and therefore unacceptable.

The Traffic study that was supplied with the Springdale Village Report suggests that 7.8% of residents in the new development will choose to walk or use public transit. This percentage is based on the national average and there is no evidence that this percentage is applicable to Margate, nor that it could be used as a design parameter. Again, to examine maximum impact of the proposed development in terms of new trips generated, the petitioner is requested to ignore the theoretical use of public transit in the trip analysis.

The aforementioned analyses are deemed critical for project feasibility and the results, when they are supplied, shall be carefully reviewed by DEES to determine if the project can move forward.

A. TRAFFICWAYS

1. Provide source for the statement that "The requirement is to demonstrate that the proposed change in land use does not contribute external trips in excess of 3.0% of a failing roadway's maximum service volume.
2. The calculation to compute the new trips generated by the project (95) is incorrect; our calculations indicate that 919 new trips will be generated by the project, not 95.
3. Table 1 of the Traffic Circulation Analysis indicates that Atlantic Boulevard and Rock Island Road are operating at LOS F which exceeds the adopted LOS (D), Therefore, in accordance with the Transportation Element in the Comprehensive Plan, an impact analysis for a distance of 1.5 miles from the boundary of the development shall be performed.
4. Table 2 indicates that Atlantic Blvd. east of Riverside Dr. and Rock Island Rd North of Southgate are both operating at a LOS F
5. Provide your rationale for utilizing negative growth rates for Atlantic and Margate Boulevard, in light of the proposed 200 townhouse development.

6. The suggestion that Atlantic Boulevard will somehow change from LOS F to LOS D, albeit the addition of 200 townhouses and associated increase in residential units from 742 to 1044, is not supported with fact.
7. City staff has indicated that 742 units exist. Based on the allowed density of 7.6 units/acre, a total of 793 units could be built, if the Margate Executive Golf Course was converted. The trip increase ought to be calculated based on the total new units (302); in other words, if 1,044 units are expected then the difference from existing (742) to proposed (1,044) is 302.
8. The reported “Existing (2019) Peak Hour Conditions LOS Analysis” is dated; the petitioner shall perform traffic counts to establish the existing (baseline) conditions.
9. 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, possibly by overcapacity links.
10. 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.
11. 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.
12. 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).
13. Exhibit Q- The existing conditions inaccurately utilizes 793 units; the number of existing units as provided by city staff is 742. Resubmit this Exhibit and discuss how the net new trips will be managed.
14. Exhibit Q - Omit multi modal reduction for maximum development impact. Resubmit this Exhibit and discuss how the net new trips will be managed.

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.
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.
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.
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.

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.
2. Provide Engineering analysis of the receiving lift station (L.S 24) to determine surplus capacity to accommodate the additional flows from the 200 townhouse development.
3. If surplus capacity is unavailable, the developer shall demonstrate how sewage collection and disposal will occur, and what improvements will be required to the existing infrastructure to service the proposed 200 townhouse project.

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.
2. Demonstrate that there will be no impact to filling in the existing lake and canal.
3. Provide details of how the existing drainage facilities will be abandoned to allow construction.
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 the impact of filling in the lake, realigning and rerouting the 30-foot Flowage and Drainage Easement.
7. One objective of rerouting and realigning the Easement shall be to reduce current flood levels and create positive impacts on communities upstream and downstream of the project.

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.

E. SOLID WASTE

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

F. PARKS AND RECREATION

Pursuant to Section 31-19 (E) developers are required to place a sum equal to five (5) per cent of the value of the (residential) land in the city's parks and recreation fund to satisfy parks and recreation impact fee. In addition, show what recreational facilities and open space will be provided to service the new proposed 200 townhouse development.

G. NOISE

The purpose of the Noise report is unclear, as it analyses the current noise condition and makes no attempt to simulate the noise from the proposed development.

Please provide an explanation as to what is the objective of the noise study.

H. CONTAMINATED SOIL

Soils on a Golf Course are usually deemed to be contaminated and as a consequence, the petitioner shall take the necessary actions to remediate soils in the project area. Accordingly, the petitioner shall prepare an Environmental Report for review by DEES.

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.

LEGEND:

~~Prior comment resolved~~

Unresolved comments noted as “[**COMMENT ONGOING: (date comment was issued)**]”

New Text

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.

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.~~

~~**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 the words “Development” and “Department.”~~

[**COMMENT ONGOING: 7/27/2021**]

~~**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. Applicant revised assumed acreage of dashed line area to 104.4 acres, per BCPC letter. City GIS staff finds the acreage to be 104.3 acres. See attached email from John Shelton, GIS Coordinator, Environmental and Engineering Services Department.~~

[COMMENT ONGOING: 7/27/2021]

~~**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.~~

~~**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.~~

~~**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.~~

~~**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 the property to the east as townhomes; these are single story villas.~~

[COMMENT ONGOING: 7/27/2021]

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. See Comment 3 above. The correct acreage of the dashed line area is 104.3 acres. The average density of 7.6 units per acre would allow up to 792 dwelling units within this dashed line area. As there are 742 existing dwelling units, 50 units remain available within the dashed line area. Revise analyses accordingly.

[COMMENT ONGOING: 7/27/2021]

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. Application continues to make incomplete citations, such as, “*Source: City of Margate Code of Ordinances.” and “*City of Margate Comprehensive Plan” Further, no mitigation strategies have been offered.

[COMMENT ONGOING: 7/27/2021]

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. See attached updated inventory.

[COMMENT ONGOING: 7/27/2021]

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.

COMMENT 12: Traffic Analysis Exhibits M, starting on page 58 of this LUPA application, has have 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.
- Part 5F1 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. Policy 2.2.1, of Element II, of the Margate Comprehensive Plan describes “impact area” for new residential development to be all property within 1.5 miles of the proposed development site. Response is incomplete. This analysis incorrectly identifies the exhibit number for this model.
- 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?
- 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.

- Part B1 asks for transit routes within ¼ mile. Report incorrectly identifies routes on Atlantic Boulevard. [Delineate walking route from subject property to transit stop\(s\) on a map.](#)
- Response to part B2 continues to incorrectly assert that the subject property is within ¼ mile of BCT bus routes and inner city shuttle routes on Atlantic Blvd. [Delineate walking route from subject property to transit stop\(s\) on a map.](#)
- If citing the MPO as a resource to explain/justify that traffic LOS will improve in 2040, cite specific projects planned/programmed by the MPO on specific roadway segments impacted by this application to justify the projected trip reduction. Include scheduling/timing of these projects.
- Estimated trip generation of Existing vs Proposed appears to use different factors. Show work/calculation for how those estimated trips were derived.
- Clearly identify the ITE LUC independent variable used for the traffic estimations. Provide a rationale to explain why a particular independent variable was selected over others.
- Explain why trip distribution model does not show 100% of trips on Margate Boulevard (west of NW 76th Ave) as this is the ONLY road segment that provides access the project site.

[COMMENT ONGOING: 7/27/2021]

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.~~

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.~~ [Exhibit Q inaccurately calculates PM Peak Hour Trip Generation of the entire dashed line area.](#)

- Analysis assumes all vested units in this dashed line area are low-rise multifamily housing
- Analysis cites ITE Trip Generation Manual, 10th Edition, then applies a multimodal reduction. Please cite where in the ITE Trip General Manual that this methodology is acceptable.
- The 7.8% trip reduction based on US Census “Means of Transportation to Work” data is applied broadly across the entire trip generation calculation. This data is specific to trips to and from work, but Applicant applies it to all trips, including social, recreational, shopping, etc. The traffic analysis relies on flawed logic.

[COMMENT ONGOING: 7/27/2021]

COMMENT 15: ~~Exhibit R, starting on page 74~~ [Traffic analysis](#) of this LUPA application, fails to identify ~~AM peak hour trips and average daily trips.~~ [This information is required by Section 5F3.](#)

[COMMENT ONGOING: 7/27/2021]

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.~~

COMMENT 17: Response to Part 5E5, ~~on page 20~~ of this LUPA application references a Phase 1 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. [Applicant’s response to Part 5E5, Policy 2.5.5, letter d \(incorrectly shown as letter c\) does not provide required environmental contamination analysis.](#) This analysis is necessary and cannot be addressed at a later time. This response references a recent Phase I Environmental Site Assessment Report that was attached as Exhibit M; however, Exhibit M is a Transportation Analysis. No Phase I Environmental Site Assessment Report was provided

with the application. See page 21 for Applicant's reference to a Phase 1 ESA. See comments 12, 14, 15, and 39 as why staff refers to the traffic analysis as "problematic."

[COMMENT ONGOING: 7/27/2021]

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? Applicant's response focuses on city-wide Parks LOS, but fails to address the impact to the adjacent properties in the surrounding neighborhood, as specifically described in BCLUP Policy 2.5.4.

[COMMENT ONGOING: 7/27/2021]

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.

[COMMENT ONGOING: 7/27/2021]

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. ~~The survey provided as Exhibit C does not meet the definition of 'tree survey,' as provided in Section 23-17 of the Code of the City of Margate.~~

[COMMENT ONGOING: 7/27/2021]

COMMENT 21: Response to Part 5E5, on pages 18-19 of this LUPA application, fails to adequately address Policy 2.5.4 (BCLUP). 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 is now on page 19, and conceptual master plan is now referenced as Exhibit I. Applicant's response to Part 5E5, addressing BCLUP Policy 2.5.4 is incomplete. Applicant did not address *"including how the negative impacts of the loss of open space on surrounding neighborhoods will be minimized or mitigated."* of Policy 2.5.4. Applicant references the conceptual master plan for "the provision of recreation and open space within the project site." No such areas have been identified on the conceptual plan. There was no comment provided to address the negative impacts that the abutting residential properties will suffer as a result of the loss of this recreational land.

[COMMENT ONGOING: 7/27/2021]

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. Exhibit T, Applicant's affordable housing study, indicates a deficit of very-low income and low-income housing. The housing study did not offer any resolution to address the deficits, per Policy 2.16.2. Staff recommends coordinating with Broward County Planning Council to resolve.~~

[COMMENT ONGOING: 7/27/2021]

COMMENT 23: Response to Part 8, ~~on pages 29-30~~ of this LUPA application fails to acknowledge the fact that those ~~high-density~~ **existing medium-density** developments are buffered by the vast open spaces of golf courses, including the subject property. Redeveloping this golf course to ~~moderately~~ **low-medium** 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 two-story 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.

[COMMENT ONGOING: 7/27/2021]

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 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.~~

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.**~~

~~**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.~~

~~**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.~~

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

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.

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.

Applicant asserts that the proposed amendment is consistent with Policy 2.10.3, 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.

[COMMENT ONGOING: 7/27/2021]

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.~~

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. Applicant's "alternative interpretation" of this policy is incorrect, hence the need to concurrently request a change in policy. There is nothing that would preclude or prevent a property owner from requesting a text change to the policy with the requested map amendment.
[COMMENT ONGOING: 7/27/2021]

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.
[COMMENT ONGOING: 7/27/2021]

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. Policy 5.1.1 Prior to approving increases in density or intensity of land uses, including amendments to the Future Land Use Map and Zoning maps, approvals of plats, and issuance of development orders, there shall be a finding that existing public facilities and services are available to serve the needs of the proposed development. [BCLUP 2.14.2, 2.14.3]
[COMMENT ONGOING: 7/27/2021]

~~**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.~~

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.
[COMMENT ONGOING: 7/27/2021]

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
- Amendment sites consisting of golf courses are required to mitigate the loss of open space to serve the surrounding neighborhood; and
- ~~• 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~~
- Applicant has failed to analyze the impact of natural resources on site; and
- Applicant did not submit a Phase 1 environmental assessment; and
- Applicant makes no attempts to integrate the proposed development with the surrounding areas; and
- Applicant fails to address affordable housing; and
- Applicant fails to address wetlands. Rather, applicant attempts to defer this requirement until permitting.

[COMMENT ONGOING: 7/27/2021]

COMMENT 32: Applicant does not make consistent representations throughout application. One narrative describes the amendment as 200 residential units, the traffic analysis describes 200 townhouses, and the affordable housing study describes a 200-unit condominium project.

COMMENT 33: Applicant does not make consistent representations throughout application. Applicant's response to comments states, "Pursuant to relevant trip data analysis, it is anticipated that the Applicant's project will generate less than 100 new trips." The author of this response comment does not appear to understand the traffic analysis provided with this application. The inaccurate traffic circulation analysis submitted with this application concluded that the project would contribute 95 net new P.M. PEAK HOUR trips. These are just the trips confined to a one-hour window between 4 and 6 PM. This is not the total number of trips to be generated by the project. Please see Comment 15 again stating that Applicant failed to provide average daily trips.

COMMENT 34: Provide maximum impact analysis, per Section 31-37 of the Code of the City of Margate.

COMMENT 35: Applicant does not make consistent representations throughout application. Response to Broward County Planning Council (BCPC) LUPA template is not consistent with Springdale Village Analysis. Section 1D of the BCPC template indicates that response to this question is premature, while the Springdale Village analysis provides an answer.

COMMENT 36: Applicant does not make consistent representations throughout application. Applicant's response to Section 2D of this LUPA application reads, in part, "The applicant has also provided an analysis of the PUD criteria found in Section 19.14 of the City of Margate Code of Ordinances, attached to this application and comment response package to the City of Margate." Applicant has concurrently filed a rezoning application to change the zoning designation to R-3. The PUD criteria are not applicable to either application.

COMMENT 37: Exhibit M includes a SERPM Map on page 66. This map fails to identify the subject property.

COMMENT 38: Applicant's representation of Policy 2.5.5 includes two a's. Correct the bullets and sequence.

COMMENT 39: Applicant's response to Part 5E5, Policy 2.5.5, letter b (incorrectly shown as letter a) does not provide required drainage analysis. This analysis is necessary and cannot be addressed at a later time. Exhibit J, Broward Surface Water Management letter, states, in part, "The relocation of the drainage easements (located along the existing canal within the property and the blanket easement allowing the adjacent properties to discharge into the golf course site) must be authorized by the beneficiary of the easements." Applicant has not shown any documentation from the beneficiaries of these easements which would approve the modification or relocation of said drainage easements.

COMMENT 40: Conceptual Plan has note/text boxes covering conceptual layout. Revise and relocate text boxes.

COMMENT 41: In response to Part 12, Applicant asserts that the application is consistent with Broward County Land Use Policy 2.1.1. This policy is a directive to the government of Broward County, and is not applicable to individual property owners.

COMMENT 42: In response to Part 12, Applicant asserts that the application is consistent with Broward County Land Use Policies 2.1.2 and 2.10.3, which speak to protecting established residential areas and preventing incompatible uses by considering the established character of predominantly developed areas. Applicant proposes to eliminate a centralized recreational opportunity within a residential neighborhood, rather than preserving the established community character of the area.

COMMENT 43: In response to Part 12, Applicant asserts that the application is consistent with Broward County Land Use Policy 2.14.7. Applicant failed to provide required information in the transportation analysis. Applicant identified transit routes that are outside of ¼ mile walking distance of the subject property. Applicant did not identify or offer any improvements to existing transportation facilities.

COMMENT 44: A number of Applicant's responses to staff comments appear to reference a previous version of the City's Comprehensive Plan. Please reference current Comprehensive Plan (Element I – Land Use, Volume I, Margate 2.0) on the city website at <https://www.margatefl.com/201/Planning>.

COMMENT 45: If Applicant believes that any staff comments are not applicable, such comment response shall include the appropriate citation to current law, code in effect, etc to support such claims.

MARGATE RECREATION AND OPEN SPACE CALCULATIONS 2020-45

Public Community Parks	Net Acreage	Public Access	Signage		Private Recreation Open Space	Net Acreage	> 0.5ac	Deed	Zoned	Credit Allowed
Calypso Cove at Royal Palm Park	3.88	Yes	Yes		Aztec Rec Area	4.39	Yes	No	No	0.00
Centennial Park	4.05	Yes	Yes		Coconut Key Rec Area	0.60	Yes	No	No	0.00
Coral Gate Park	4.09	Yes	Yes		Colonies East Rec Area	2.53	Yes	No	No	0.00
David Park	5.50	Yes	Yes		Colonies West Rec Area	3.28	Yes	No	No	0.00
Firefighters Park	9.00	Yes	Yes		Coral Cay Rec Facility	6.67	Yes	No	No	0.00
Greenwald Park	0.13	Yes	No		Coral Gate Rec Area	3.76	Yes	No	No	0.00
Kaye Stevens Park	1.90	Yes	Yes		Holiday Springs Rec Area	6.43	Yes	No	No	0.00
Lemon Tree Lake Park	0.72	Yes	Yes		Holiday Springs Rec Facility	7.53	Yes	No	No	0.00
Legacy Park	0.34	Yes	Yes		Lakewood on the Green Rec Area	3.69	Yes	No	No	0.00
Margate Elementary(Park)	0.92	Yes	Yes		Lakewood on the Green Rec Facility	3.05	No	No	No	0.00
Margate Middle School - Andrews Park	10.11	Yes	Yes		Merrick Rec Area	0.17	Yes	No	No	0.00
Margate Sports Complex	12.03	Yes	Yes		Monte Carlo Rec Area	0.49	Yes	No	No	0.00
Oriole Park/Margate Marina	8.34	Yes	Yes		North/South Bay Park (less wetlands)	7.53	Yes	No	No	0.00
Rock Island Fitness	0.42	Yes	Yes		Oakland Hills Rec Area	2.52	Yes	No	No	0.00
Serino Park	2.15	Yes	Yes		Oakland Hills Rec Facility	3.26	Yes	No	No	0.00
Southeast Park	11.12	Yes	Yes		Palm Lakes Rec Area	0.68	Yes	No	No	0.00
Southgate Park	1.47	Yes	Yes		Paradise Gardens 1 Rec Facility	2.34	Yes	No	No	0.00
Veteran's Memorial Park	1.13	Yes	Yes		Paradise Gardens 2 Rec Facility	1.19	Yes	Yes	Yes	1.19
Vinson Park	6.93	Yes	Yes		Paradise Gardens 3 Rec Facility	2.31	Yes	No	No	0.00
Winfield Park	1.82	Yes	Yes		Paradise Gardens 4 Rec Facility	3.54	Yes	No	No	0.00
Total:	86.05				Peninsula at Coral Bay	1.06	Yes	No	No	0.00
					Royal Park Gardens Rec Area	2.83	Yes	No	No	0.00
Public Regional Parks	Net Acreage	Credit Allowed (max 10%, not to exceed 10 ac.)			The Courtyards Rec Area	0.97	Yes	No	No	0.00
					The Falls Rec Area	1.01	Yes	No	No	0.00
Fern Forest Nature Center	247.00	10.00			The Lakes Rec Area	1.05	Yes	No	No	0.00
Herman & Dorothy Shooster Preserve	19.83	1.98			The Laurels Rec Area	0.96	Yes	No	No	0.00
					The Laurels Rec Facility	0.80	Yes	No	No	0.00

[illegible]

Level of Service Determination: Parks and Recreation Acreage 2020-2045	Population Forecast - Per Broward County PFAM 2017 Model	Broward County Min Standard: 3ac/1,000			Type of Facility - 2045	Total Acreage	% Avail	Acreage Applied		
2020	56,447	169.3			Public Community Parks	86.05	100%	86.05		
2025	59,654	179.0			Public Regional Parks	266.83	10%	11.98		
2030	62,187	186.6			Golf Courses	346.14	15%	30.90		
2035	64,663	194.0			Private Conservation Wetlands	8.00	100%	9.54		
2040	66,641	199.9			Private Recreation Open Space	76.88		1.19		
2045	68,660	206.0			Community Lakes and Waterways	58.09		58.09		
Source: Broward County Planning and Development Management Division					TOTAL	841.98		197.74		

From: [John Shelton](#)
To: [Andrew Pinney](#)
Cc: [Elizabeth Taschereau](#); [Alexia Howald](#); [Robert Meehan](#)
Subject: Re: Acreage
Date: Wednesday, November 10, 2021 11:38:29 AM
Attachments: [Outlook-kis1iaxq.png](#)

I compared their overall boundary and ours and they appear to match. It looks to me like they rounded up or down to the nearest 10th of an acre for each "parcel" and "right-of-way" they described and added them up. I just used the total area as a whole for the calculation and believe this to be more accurate, so I would go with my finding of 104.3 acres (104.302, to be more precise).

John Shelton, GISP

GIS Coordinator

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From: Andrew Pinney <apinney@margatefl.com>
Sent: Wednesday, November 10, 2021 10:57 AM
To: John Shelton <jshelton@margatefl.com>
Cc: Elizabeth Taschereau <ETaschereau@margatefl.com>; Alexia Howald <ahowald@margatefl.com>; Robert Meehan <rmeehan@margatefl.com>
Subject: Acreage

Hi John,

Please see attached BCPC letter, as well as a prior email that you sent. There is a slight discrepancy in acreage (104.3 vs 104.4) and I was hoping that you could take a look and provide an opinion as to which acreage the City should accept and utilize. Based on the average density of 7.6 units per acre, this slight discrepancy amounts to a difference of the availability of 1 dwelling unit. Thanks.

Andrew Pinney, AICP

Senior Planner

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