



CITY OF MARGATE

DEVELOPMENT REVIEW COMMITTEE (DRC) REVIEW #1

July 27, 2021

PROJECT NAME:	Margate Executive Golf Course		
PROJECT NUMBER:	2021-298		
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
Planning	Andrew Pinney – Senior Planner	apinney@margatefl.com	(954) 884-3684
Planning	Alexia Howald – Associate Planner	ahowald@margatefl.com	(954) 884-3685
Building	Richard Nixon – Building Official	rnixon@margatefl.com	(954) 970-3004
Engineering	Curt Keyser – Director	ckeyser@margatefl.com	(954) 884-3631
Engineering	Randy L. Daniel – Assistant Director	rdaniel@margatefl.com	(954) 884-3633
Fire	David Scholl – Fire Department	dscholl@margatefl.com	(954) 971-7010
Public Works	Mark Collins – Director	mcollins@margatefl.com	(954) 972-8126
Public Works	Gio Batista – Assistant Director	gbatista@margatefl.com	(954) 972-8123
CRA	Vacant		
Police	Lt. Ashley McCarthy – Police Department	amccarthy@margatefl.com	(954) 972-1232

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

Applicant is required to address EACH comment and to revise plans accordingly (acknowledgements are not corrections).

DRC comments follow.

DEPARTMENTAL COMMENTS

BUILDING

1. No comments.

FIRE

1. Provide secondary means of access for emergency use.

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.
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?
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.

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

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.

To construct the project, the applicant is proposing to fill in ponds and canals. 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.

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.

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.

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

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

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 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.

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. RECREATION

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

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.

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 Development and Department.

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.

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 townhomes to the east, these are single story villas, which is a type of multi-family.

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.

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.

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.

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: 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.
- 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 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.
- 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.

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.

COMMENT 15: Exhibit R, starting on page 74 of this LUPA application, fails to identify AM peak hour trips and daily average trips.

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.

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?

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 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.

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.

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.

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 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 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 2.10.2, 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.

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.

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 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.

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 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.