

CITY OF MARGATE, FLORIDA

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING A WAIVER FOR THE UTILITY UNDERGROUNDING REQUIREMENT SUBJECT TO CONDITIONS; PROVIDING FOR PAYMENT TO THE CITY'S UNDERGROUND UTILITY TRUST FUND; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, Section 31-2 of the Code of Ordinances of the City of Margate, Florida ("the Code"), requires new commercial, industrial, retail development, mixed use application or any other development application to underground all utilities at the developer/owner's cost; and

WHEREAS, Section 31-2(4) of the Code provides for the City Commission to consider a waiver of the utility undergrounding requirements; and

WHEREAS, the Applicant has submitted a development application for construction of a warehouse and distribution center at 5301 West Copans Road and requests the City Commission waive the utility undergrounding requirement for this new development (the request for the waiver is attached hereto and incorporated herein as Addendum "A"); and

WHEREAS, pursuant to Code Section 31-2(4)b, the Applicant has provided a detailed statement by a state licensed professional engineer requesting a waiver of the utility undergrounding requirement; and

WHEREAS, the Director of Environmental Engineering and the Director of Development Services have reviewed the Applicant's request for a waiver of the utility undergrounding requirement and recommend approval subject to the Applicant complying with Code Section 31-2(4)b and c which requires the Applicant to pay into the City's Underground Utility Trust Fund pursuant to a cost estimate established by the relevant utilities and agreed to by the City; and

WHEREAS, the Mayor and City Commission find it to be in the best interest of the City to approve the waiver of the utility undergrounding requirement subject to compliance with Section 31-2(4)c of the Code.

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

SECTION 1: The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and incorporated herein by this reference.

SECTION 2: That the Mayor and City Commission of the City of Margate, Florida, hereby approves the waiver of installation of utilities underground at 5301 West Copans Road for development of the warehouse and distribution center subject to compliance with Section 31-2(4)c of the Code.

SECTION 3: That the City Commission finds that as a condition of this waiver approval in accordance with Section 31-2(4)c, the Applicant shall pay an amount into the City's Underground Utility Trust Fund prior to development permits being issued, such amount shall be determined pursuant to a cost estimate established by the relevant utilities and agreed to by the City Manager.

SECTION 4: That this resolution shall become effective immediately upon its passage.

PASSED, ADOPTED AND APPROVED THIS _____ DAY OF _____, 2021.

ATTEST:

JOSEPH J. KAVANAGH
CITY CLERK

ARLENE R. SCHWARTZ
MAYOR

RECORD OF VOTE

Caggiano	_____
Simone	_____
Ruzzano	_____
Arserio	_____
Schwartz	_____

ADDENDUM A

Application for Underground Wiring Waiver



Underground Wiring Waiver Application

Development Services Department
954-979-6213

Property Address: Northwest corner of Banks Road and Copans Road

Legal Description: Portion of Tract A Sherman Plat as recorded in PB144 PG26 of the public records of Broward County Florida

Applicant/Agent Name: Chirs Willson

Address: FR5355 Northwest 24th Street, LLC

Phone: (954)943-7492 Email: cwillson@firstindustrial.com

Project Name: FirstGate Commerce Center

Project Description: Construction of a 131,329 SF warehouse distribution facility wiht associated parking and loading. The proposed building will be a Dock Level Building set to acomodate up to 4 tenants

This application requires public notification as described in Section 31-55 of the Margate Code of Ordinances. Applicant is responsible for mailing public notice letters to all property owners within 1,500ft of the subject property and posting a public hearing sign on each roadway frontage.

Include with this application:

- Property owner certification
- Public hearing sign bond agreement form and \$150 bond payment
- \$200 application fee
- A detailed statement by a state licensed professional engineer, qualified with respect to utility issues, explaining why, in the engineer's professional opinion, it is technically infeasible to locate such utilities underground.

*If a waiver is granted, a dollar amount equal to the cost of placing the utilities underground, as determined by an estimate established by the relevant utilities and as agreed upon by the city, shall be required to be paid into the city's underground utility trust fund prior to the development permits being issued.