

CITY COMMISSION AGENDA ITEM REPORT

DATE: July 10, 2024

SUBMITTED BY: Kimberly Dillon

ITEM TYPE: Resolution

TEMP. RESOLUTION NUMBER: 14121

AGENDA SECTION: **QUASI-JUDICIAL HEARING(S)**

TITLE: TR14121 - A Resolution of the City Commission of the City of Tamarac, Florida, granting site plan approval (major) with conditions to allow for the redevelopment of the Woodlands Recreation Pod for a proposed eight thousand three hundred thirty-five (8,335) square foot clubhouse building with outdoor covered patio, pool, tot lot, two (2) tennis courts, and two (2) padel ball courts; for the property located at 4600 Woodlands Boulevard, Tamarac, Florida, (Case No. 10-SP-23); providing for conflicts; providing for severability; and providing for an effective date.

RECOMMENDATION: The Director of Community Development recommends that the Mayor and City Commission approve the proposed request for Site Plan Approval (Major) at its June 10, 2024 meeting with conditions of approval (see attached Temporary Resolution No.14121).

BACKGROUND: The Woodlands Country Club began operation in the early 1970's with a clubhouse, two (2) eighteen (18) hole golf courses, known as the East and West Courses, and a community of approximately eight hundred ninety (890) single-family homes surrounding the golf course fairways. After decades of operation, the Woodlands Country Club experienced a decline in revenue and ultimately closed due to the financial pressures affecting most golf courses today.

On May 1, 2019, the Planning Board voted to table proposed Large Scale Land Use Plan Amendment and Rezoning petitions requesting approval to change the future land use designation of the former Woodlands Golf Course from "Commercial Recreation" to "Low Density Residential" (up to 5 dwelling units per acre) and to change the current zoning of the subject property of approximately 115.86 acres from RC (Recreation) to RE (Residential Estate) and

approximately 49.67 acres from RC (Recreation) to R-2 (Two-Family Residential), respectively, to allow for the construction of four hundred twenty-three (423) single family homes and the preservation of approximately one hundred ten (110) acres of open space. Several of the Board members requested staff and the applicant to provide additional information regarding this item, which was provided at the June 5, 2019 meeting.

On June 5, 2019, the Planning Board voted to forward a favorable recommendation of the proposed Large Scale Land Use Plan Amendment and Rezoning petitions to the City Commission with conditions outlined by staff and a recommendation from the Board for the applicant to address traffic, zero lot housing, drainage, loss of green areas, and golf course views.

On July 10, 2019, the City Commission approved the transmittal of the Large Scale Land Use Plan Amendment petition to change the future land use designation of the former Woodlands Golf Course from “Commercial Recreation” to “Low Density Residential” (up to 5 dwelling units per acre) to the State of Florida for review on First Reading and approved the Rezoning petition to change the current zoning of the subject property of approximately 115.86 acres from RC (Recreation) to RE (Residential Estate) and approximately 49.67 acres from RC (Recreation) to R-2 (Two-Family Residential) on First Reading.

Broward County Planning Council then heard Broward County Land Use Plan Amendment PC20-2 on January 23, 2020, and recommended the Broward County Board of County Commissioners approve the request with conditions which included the following:

Condition 1.A – “The approximately one hundred ten (110) acres currently designated as Commercial Recreation of the one hundred sixty (160) acres that will be reserved for community recreation and open space be amended to the Recreation and Open Space land use designation to further enhance the voluntary commitment.”

Condition 1.B – “As an alternative to the proposed Low (5) Residential designation, Planning Council staff finds that a designation of Low (3) Residential, which permits a maximum of 506 dwelling units, may be more appropriate, as the applicant has proffered a voluntary commitment to restrict the development to a maximum of 398-single family dwelling units, which is less than half the density permitted by a Low (5) Residential designation. The Low (3)

Residential designation would further protect the lower density by more accurately reflecting the voluntary commitment to restrict the development to a maximum of 398 single-family dwelling units and require a more stringent County and City land use plan amendment process be engaged if an increase in residential density is ever sought, as opposed to the release of a Declaration of Restrictive Covenants. This action would require that the City of Tamarac also adopt the same or more restrictive density designations for its future land use plan to be recertified and effective.”

On October 20, 2020, the Broward County Board of County Commissioners approved the transmittal of the Large Scale Land Use Plan Amendment petition to the Florida Department of Economic Development including the Planning Council’s transmittal recommendations with conditions regarding the preservation of the open space and the restricted designation of the residential area, for review pursuant to Chapter 163, Florida Statutes, and on October 27, 2020, Broward County Planning Council transmitted the Large Scale Land Use Plan Amendment application to the State of Florida for review.

The State of Florida review process was completed by the Florida Department of Economic Development on November 23, 2020. As part of the state review process, a comment was received from Florida Department of Transportation to coordinate with the Department of Transportation and Broward County prior to adoption of the amendment to determine strategies for reducing, mitigating, or eliminating adverse impacts resulting from this amendment.

On April 30, 2021, the City conducted the first of two (2) meetings with the applicant and Florida Department of Transportation to determine a proportionate share contribution towards the Department Advance Transportation Management System on West Commercial Boulevard. Florida Department of Transportation is currently participating in a joint funded project with Broward County to design and construct Advance Transportation Management System improvements along W Commercial Boulevard. This project is programmed in the Florida Department of Transportation Adopted Five Year Work Program in FY 2024. The Woodlands and surrounding area will directly benefit from potential traffic congestion reduction that is associated with the proposed Advance Transportation Management System project. As such, the applicant will contribute \$114,964.19 towards the Advance Transportation

Management System project as a proportionate share contribution related to the traffic impacts resulting from the project to satisfy the comment received from Florida Department of Transportation. Additionally, Florida Department of Transportation is working with the city to bring forward the Local Funding Agreement (LFA) which memorializes the contribution for the proposed improvements.

On February 25, 2021, Broward County Planning Council recommended approval of Broward County Land Use Plan Amendment PC20-2 with the previous conditions and an additional recommendation to work with Florida Department of Transportation to address the traffic comment. Then on May 4, 2021, the Broward County Board of County Commissioners adopted the Broward County Land Use Plan Amendment PC20-2 changing the future land use designation of the subject property from Commercial Recreation to Low (3) Residential designation with the conditions stimulated by Broward County Planning Council.

On April 12, 2021, the applicant sent a letter to Florida Division of Emergency management requesting an interpretation of Section 252.363, Florida Statutes. An opinion was received from the Florida Division of Emergency Management on April 29, 2021, stating that due process rights should not be abridged during such extraordinary times, and therefore, the one hundred eighty (180) day period referenced in Section 163.3184(3)(c)1, Florida Statutes, should be tolled for the period on which public meeting were not held.

On May 21, 2021, the City formally noticed an extension of the second public hearing date of the Large Scale Land Use Plan Amendment request to July 14, 2021. The City determined that two (2) public meetings were not held during the state of emergency, specifically March 25, 2020, and April 8, 2020. Additionally, the City received communication from the Executive Director of the Broward County Planning Council, acknowledging the cancellation of the December 10, 2020, Broward County Planning Council meeting, due to its inability to achieve a quorum, during the COVID-19 declared state and local emergency. The City's decision to notify the state land planning agency of its intent to extend the second public hearing date to July 14, 2021, was predicated on the Department of Emergency Management's findings. The Florida Department of Economic Opportunity acknowledged the receipt of the extension notification on May 24, 2021.

On July 8, 2021, the City formally noticed an additional extension of the second public hearing date of the Large Scale Land Use Plan Amendment to November 10, 2021. The City determined that additional time was needed to prepare and consider the application for the adoption hearing. The City's decision to notify the state land planning agency of its intent to extend the second public hearing date to November 10, 2021, was predicated on the Department of Emergency Management's findings, the Applicant's request and the City's own need for additional time to prepare the application for Commission consideration. The applicant agreed to the November 10, 2021, extension date and was notified of same. The Florida Department of Economic Opportunity acknowledged the receipt of the additional extension notification on July 9, 2021.

On September 17, 2021, the applicant revised the Large Scale Land Use Plan Map Amendment petition amending the proposed future land use designation for the nine (9) Residential Pods from "Commercial Recreation" to "Low Density Residential" (up to 5 dwelling units per acre) with a maximum density limitation of three (3) dwelling units per acre in accordance with the Condition 1.B imposed by the Broward County.

At the October 13, 2021, City Commission meeting, the applicant formally appeared before the Commission and requested a third extension of time which was not granted by the City Commission. Subsequently, the Applicant sued the City seeking a stay on the Large Scale Land Use Plan Amendment application and a determination on the standard (Quasi-Judicial) hearing that should be applied to the Application.

On December 17, 2021, the applicant revised the Site Plan Approval (Major) petition thereby reducing the proposed dwelling unit count from three hundred ninety-eight (398) single family homes to three hundred thirty-five (335) single family homes. Additionally, the applicant revised the Rezoning petition thereby requesting a rezoning from Two-Family Residential (R-2) in Residential Pod G to Residential Estate (RE) for all nine (9) Residential Pods.

On October 19, 2022, an Amended Final Judgement was entered by Judge Frink, requiring the City to hold a Quasi-Judicial hearing on the Developer's application for the Large Scale Land Use Map Amendment on or before March 31, 2023. The Florida Department of Economic Opportunity acknowledged the receipt of the additional extension notification on November 7, 2022.

On March 22, 2023, the City Commission adopted the proposed Large-Scale Land Use Plan Amendment changing the future land use designation of a portion of the former Woodlands Golf Course from “Commercial Recreation” to “Low Density Residential” (up to 5 dwelling units per acre), restricted to (0-3) dwelling units per acre, and the proposed Rezoning changing the zoning from RC (Recreation) to RE (Residential Estate).

The developer, Woodlands Club Holdings, LLLP, entered into a Development Agreement with the City that was also approved on first reading by the City Commission on March 22, 2023. The Development Agreement sets forth the procedures, rights and obligations with regard to the development of the subject property consistent with the Comprehensive Plan, City’s Code of Ordinances, and Land Development Code, and to details the requirements, commitments and vested rights for developing the subject property. The applicant contribution of \$114,964.19 towards the Advance Transportation Management System project for the Florida Department of Transportation Adopted Five Year Work Program is included in the Development Agreement.

On November 8, 2023, the City Commission approved the request for Site Plan Approval (Major) for the proposed Woodlands Country Club single-family residential development project permitting the construction of three hundred thirty-five (335) single family homes. Also, on November 8, 2023, the City Commission adopted the Development Agreement between the developer, Woodlands Club Holding, LLLP, and the City allowing for the development of the Woodlands Country Club single-family residential development on second reading.

Additionally, on November 8, 2023, the City Commission approved a Large-Scale Land Use Plan Amendment on first reading changing the future land use designation of the remainder of the former Woodlands Golf Course from “Commercial Recreation” to “Recreation” to facilitate the preservation of land for community recreation and open space and satisfy Condition 1.A of Broward County Land Use Plan Amendment PC20-2.

On January 24, 2024, the City Commission adopted the proposed Large-Scale Land Use Plan Amendment changing the future land use designation of the remainder of the former Woodlands Golf Course from “Commercial Recreation” to “Recreation” preserving approximately one hundred ten (110) acres as open space that includes lakes,

a recreation trail, and other amenities.

ISSUE:

Michael Nunziata, designated agent for the property owner, Clublink US Corp., is requesting Site Plan Approval (Major) to allow for the redevelopment of The Woodlands Recreation Pod for a proposed eight thousand three hundred thirty-five (8,335) square foot clubhouse building with outdoor covered patio, pool, tot lot, two (2) tennis courts, and two (2) paddle courts (see attached Justification Letter – Woodlands Country Club Recreation Pod).

ATTACHMENTS:

- 1 - Woodlands Clubhouse MRSP Memo 10-SP-23-MM.docx
- 2 - Temporary Resolution No 14121.docx
- 3 - Justification Letter - Woodlands Country Club Recreation Pod.pdf
- 4 - Location Map.pdf
- 5 - Site Plan - Recreation Pod.pdf
- 6 - Traffic Statement.pdf
- 7 - Landscape Plan.pdf
- 8 - Elevations.pdf