



STAFF REPORT

SUNRISE COUNTRY CLUB - LAND USE PLAN AMENDMENT (LUPA)

Summary

This is an application for a Land Use Plan Amendment (LUPA) to the City's Future Land Use Map (FLUM) to change the land use designations of approximately 103.19 gross acres of land bounded on all sides by Aragon Boulevard, East Sunrise Lakes Drive and NW 30 Place, a portion of the former Sunrise Golf & Country Club, as shown on the location map. The applicant proposes to change the existing land use designations from Commercial Recreation, Low-Medium (10) Residential and Medium-High (25) Residential to Commercial Recreation and Irregular (9 du/ac) Residential, as shown on the City of Sunrise FLUM. The proposed amendment to the City's FLUM requires City Commission approval pursuant to Section 16-38 of the Land Development Code (LDC).

General Information

The proposed amendment site is generally located south of NW 30 Place, between Aragon Boulevard and E. Sunrise Lakes Drive and contains the Sunrise Golf and Country Club which has been closed since 2015. The proposed amendment area is surrounded by a portion of the former golf course. Opposite of this "buffer," the entire subject area is surrounded by several multi-family residential developments.

A portion of the amendment area was part of the *Flacond Realty Corp. v. Broward County and the City of Sunrise (17th Judicial Circuit of Florida. Agreed Amended Final Judgment May 21, 1981)* court order. This portion is identified as Parcel 2 within the court order and is restricted to eighteen (18) units per acre, but designated as Medium-High (25) Residential on the FLUM. Parcel 2 from the court order is identified within the proposed amendment as "the island" (a round-like parcel within the center of the former golf course). Furthermore, the court order did not include the portion of the amendment area known as "the tail", which is the area that connects "the island" to the surrounding residentially designated lands east of "the island" (approximately one (1) acre). A discrepancy exists between the City and County FLUM for "the tail" area; the City FLUM designates "the tail" as Medium-High (25) Residential, while the County FLUM designates it as Commercial Recreation. The analysis of the proposed LUPA is based off of the Broward County acreage calculations for each existing land use designation which results in a more conservative number of the maximum allowable density.

In addition to the subject LUPA application, this proposed residential development will also require the following approvals:

1. Broward County Land Use Plan Amendment (County);
2. Broward County Planning Council Recertification of the City of Sunrise FLUM (County);

3. Rezoning (City);
4. Plat/Plat Note Amendment (City and County);
5. Master Plan (City); and
6. Site Plan (City).

A Development Agreement for the proposed residential development was approved, via Resolution No. 21-17, on February 9, 2021. On July 13, 2021, via Resolution No. 21-17-21-A, the effective date of the original adopted Resolution for the Development Agreement was amended to be retroactive to the February 9, 2021 date, as opposed to upon the approval of future development applications; no changes were made to the Development Agreement itself. In addition, the proposed amendment site is within the Solterra Community Development District as approved via Ordinance No. 673 on March 9, 2021. The applicant plans to apply for Rezoning to the Planned Unit Development (PUD) district for the proposed development. Staff notes the Site Plan submitted with this LUPA is for conceptual purposes only.

Project Description

The applicant proposes to construct approximately 900 dwelling units comprised of 300 to 400 single-family dwelling units and between 500 to 600 townhomes within the amendment site which is currently designated as Commercial Recreation, Low-Medium (10) Residential and Medium-High (25) Residential land uses on both the City’s FLUM and on the Broward County Land Use Plan Map (BCLUPM). An application for a companion amendment to the BCLUP will be filed with the Broward County Planning Council (BCPC) for review, processing and approval by the Broward County Board of County Commissioners and various state review agencies in order to amend the land use of the subject property.

The Analysis of Impacts to Public Facilities and Services attributable to the proposed LUPA is as follows:

| Public Facility | Current Land Use Demand | Proposed Land Use Demand | Net Change |
|--|--------------------------------|---------------------------------|----------------------|
| <i>Sanitary Sewer⁽¹⁾</i> | 71,215 Gallons/Day | 184,985 Gallons/Day | +113,770 Gallons/Day |
| <i>Potable Water⁽²⁾</i> | 77,600 Gallons/Day | 202,886 Gallons/Day | +125,286 Gallons/Day |
| <i>Drainage⁽³⁾</i> | <i>See footnote 3 below</i> | | |
| <i>Solid Waste⁽⁴⁾</i> | 2,412 lbs/Day | 10,800 lbs/Day | +8,388 lbs/Day |
| <i>Recreation and Open Space⁽⁵⁾</i> | 1.81 Acres | 6.75 Acres | +4.94 Acres |
| <i>Traffic⁽⁶⁾</i> | 196 trips/day | 655 trips/day | +459 trips/day |
| <i>Mass Transit⁽⁷⁾</i> | <i>See footnote 7 below</i> | | |
| <i>Public School⁽⁸⁾</i> | 79 | 350 Students | +271 Students |
| <i>Affordable Housing⁽⁹⁾</i> | <i>See footnote 9 below</i> | | |

- (1) **Sanitary Sewer.** The City has sufficient capacity to meet the projected demand.
- (2) **Potable Water.** The City has sufficient capacity to meet the projected demand as based on the approved 10-Year Water Supply Facilities Work Plan updated in 2020.
- (3) **Drainage.** The City of Sunrise's drainage system consists of a tertiary system of catch basins and roadside swales, a secondary system of City canals and lakes and a primary canal system, regulated by the South Florida Water Management District (SFWMD). The loss of storage on the subject site cause by the additional building and impervious area will be made up for by the construction of a series of interconnected lakes around the perimeter of the site. Stage-storage calculations will be done to show the proposed condition is equal to or better than the existing permitted conditions. Water quality requirements for the site will be met within the proposed lake system without modifying the existing control structure.
- (4) **Solid Waste.** The Wheelabrator South Broward facility, contracted to process all solid waste for the City of Sunrise, has sufficient capacity to handle the solid waste generated by the proposed amendment, nor will it cause any adverse impacts on the facility.
- (5) **Recreation and Open Space.** The City of Sunrise's adopted LOS of three (3) acres of park per 1,000 population will continue to be met. As provided within the previously approved Development Agreement, an approximate seven (7) acre park is to be constructed within and adjacent to the amendment area and dedicated to the City of Sunrise for the benefit of the public.

Furthermore, the applicant has submitted a draft Declaration of Restrictive Covenants voluntarily agreeing to place a restriction on the project area's Commercial Recreation land use designation. The areas proposed within the amendment site, as well as the surrounding buffer of the amendment site, designated Commercial Recreation, will be restricted to uses which are permitted in the City of Sunrise's Recreation and Open Space land use designation only (as listed in the City of Sunrise Comprehensive Plan, Volume I (dated April 2018, adopted October 2018). This restriction includes the entire area surrounding the amendment site which would be converted to a 230-foot wide open space buffer.

- (6) **Traffic.** The proposed Future Land Use changes will result in an increased number of PM Peak Hour trips. The resulting increase will exceed the Broward County 3% significance threshold on two (2) roadway segments: Sunset Strip east of University Drive and Sunset Strip south of NW 64 Avenue. These two (2) roadway segments are currently operating at a deficient Level of Service (LOS), with or without the proposed amendment. Therefore, the amendment will not create a deficient roadway condition on either segment.
- (7) **Mass Transit.** Broward County Transit (BCT) has identified the following mass transit routes within a quarter mile of the amendment site.

Broward County Transit (BCT) Route #2 currently operates full week services on University Drive from 5:00 a.m. to 12:42 p.m. with a frequency (headway) of seventeen (17) minutes on weekdays, Saturday service from 5:13 a.m. to 12:42 p.m. with a headway of thirty-five

(35) minutes and Sunday service from 7:00 a.m. to 10:40 p.m. with a frequency (headway) of forty (40) minutes.

Broward County Transit (BCT) Route #56 currently operates weekday service on Sunrise Lakes Boulevard from 6:30 a.m. to 7:10 p.m. with a frequency (headway) of forty-five (45) minutes. There is no weekend service on this route.

Broward County Transit (BCT) Route #72 currently operates full week services on Oakland Park Boulevard from 5:13 a.m. to 12:40 a.m. with a frequency (headway) of fourteen (14) minutes on weekdays, Saturday service from 5:13 a.m. to 12:40 p.m. with a headway of fourteen (14) minutes and Sunday service from 7:45 a.m. to 10:08 p.m. with a headway of nineteen (19) minutes.

Broward County Transit (BCT) Route #81 currently operates full week service from the West Regional to the Broward Central bus terminals, on weekdays from 5:15 a.m. to 11:57 p.m. with a frequency (headway) of thirty-five (35) minutes, Saturday service from 5:15 a.m. to 11:57 p.m. with a headway of thirty-five (35) minutes and Sunday service from 8:00 a.m. to 9:27 p.m. with a headway of forty-five (45) minutes.

In addition, the City of Lauderhill and BCT have partnered to provide the Lauderhill Community Shuttle, a free service within a quarter mile of the amendment site via Route 3 (BCT 716) operating weekdays from 6:30 a.m. to 6:30 p.m. with a frequency (headway) of sixty (60) minutes.

BCT has indicated it will be implementing several fixed route bus improvements, including shorter headways, increased span of service and route realignment. Furthermore, Rapid Bus service via Oakland Park Boulevard, between the Sawgrass Mills Mall and Federal Highway (U.S. 1) and Rapid Bus service via University drive, between Sample Road and Golden Glades, are currently prioritized for study as part of a countywide Transit Systems Plan.

- (8) Public School.** This application is subject to Section 7 of the Third Amended and Restated Interlocal Agreement for Public School Facility Planning. The applicant submitted a Public School Impact Analysis (PSIA) application to the School Board of Broward County (SBBC) and received a School Consistency Review Report, indicating the proposed amendment will generate a total of 271 additional students (128 elementary, 58 middle, 85 high school). All public schools serving the amendment site, Village Elementary, Bair Middle and Plantation High, are operating below the adopted LOS. The Report also indicates that three (3) charter schools (Ben Gamia Charter of South Broward, Championship Academy of West Broward and Renaissance Charter School of Plantation) are operating within a 2-mile radius of the amendment site and operating below projected enrollment. The SBBC has determined that the schools in the area have sufficient excess capacity to absorb the students generated by the proposed residential units.
- (9) Affordable Housing.** This application is subject to the requirements of Broward County Land Use Plan Policy 2.16.2 for affordable housing. The applicant has submitted a draft Declaration of Restrictive Covenants regarding affordable housing, conforming with both the City and the County's affordable housing requirements. Per the provided draft

Declaration of Restrictive Covenants, the applicant proposes to provide 15% of the additional housing units from the proposed amendment as affordable units (i.e. 15% of the net 579-unit increase in density resulting from the proposed amendment). In total, the applicant is committing to provide eighty-seven (87) housing units as affordable moderate-income households, as provided in the draft Declaration of Restrictive Covenants.

Land Use Compatibility

Staff finds the proposed Commercial Recreation and Irregular (9 du/ac) Residential land use designations are compatible with the surrounding uses. Surrounding the majority of the subject site is a portion of the former golf course (approximately fifty-seven (57) acres), currently designated Commercial Recreation land use, which will not be amended but will be incorporated into the future overall Master Plan as an approximate 230-foot wide buffer to the adjacent residential communities. Along the opposite side of this “buffer” to the north is Golf View Gardens and to the east and south is Regency Club, both multifamily developments consisting of apartments and townhomes designated as Medium-High (25) Residential with a restriction of 18 units per acre as indicated in the final judgment of *Flacond Realty Corp., v. Broward County and the City of Sunrise*. To the west of the amendment site, along the opposite side of the buffer, are Aragon Condominiums, Townhomes at Aragon, Fairways of Sunrise Townhomes and Quail Run multifamily residential developments consisting of townhomes and condominiums with land use designations of Medium-High (25) Residential restricted to 27.2 units per acre, per the same judgment as indicated above, and Low (5) Residential.

Consistency with Goals, Objectives and Policies of the Sunrise Comprehensive Plan

The proposed amendment is compatible with the City of Sunrise Comprehensive Plan as follows:

Future Land Use Element

Policy 1.2.4 Support increases in residential densities where appropriate to ensure adequate supply of affordable housing.

Policy 1.2.5: Affordable housing shall be addressed consistent with Policy 2.16.2 of the BCLUP, as amended.

One of the tools available to municipalities to require developers to provide affordable housing is Policy 2.16.2 of the BCLUP. This policy applies to land use plan amendments that would add 100 or more residential dwelling units to the existing densities approved by the BCLUP, such as the amendment described in this document. The proposed development would deed-restrict 87 units to be affordable to moderate-income households, in compliance with Policy 2.16.2.

Policy 1.3.3: Provide, through the City of Sunrise Land Development Code (LDC), proper design regulations for residential developments, to ensure that the required amount of open space is located to serve the future residents. The required open space will be achieved through proper landscape buffering between residential land uses and the following land uses: community facilities, multi-family residential, commercial, industrial and other land uses, as well as proper buffering from street rights-of-way and canals.

The proposed development includes the construction of a 7-acre park which would be dedicated to the City, exceeding the anticipated demand from the future residents. The development would also include a 230-foot wide open space buffer separating the new dwelling units from the existing residential communities.

Housing Element

OBJECTIVE 1.4: Diversity of Housing Stock: Encourage development of a diverse housing stock, including market rate and affordable units for owner-occupation and rental to meet the needs of all residents, including those with very low, low and moderate incomes.

Policy 1.4.1: The land development regulations shall encourage increased use of mixed densities and housing product types within a development to increase the diversity of housing choices.

The proposed development would have an overall residential density of 9 units/acre and include a mix of densities and housing product types: single-family homes, townhomes with garages, and townhomes without garages. In addition, 87 of the 900 proposed units would be deed-restricted as affordable to moderate-income households.

Conversation Element

OBJECTIVE 1.2: The City of Sunrise's wetlands shall continue to be conserved and protected from adverse impacts.

Policy 1.2.1: The City of Sunrise shall require that wetlands be preserved within any new development or mitigated in accordance with the regulations of the Broward County Environmental Protection and Growth Management Department.

An existing conservation easement protects a lake with a littoral area in the northwest corner of the project site. The land underlying this easement is partially designated Low-Medium (10) Residential and partially designated Commercial Recreation. The boundary of the proposed Irregular Residential designation would exclude the conservation easement and the portion of it currently designated as Low-Medium (10) Residential would be re-designated to Commercial Recreation.

The amendment site also contains approximately 0.31 acre of isolated wetlands. Mitigation for impacts to the poor-quality wetland areas will be provided as required by the SFWMD Environmental Resource Permit (ERP) and Broward County Environmental Resource License (ERL).

OBJECTIVE 2.3: Water Conservation: Conserve potable water by pursuing implementation of the water conservation practices described in the 10-Year Water Supply Facilities Work Plan.

Policy 2.3.6: Continue to evaluate other methods of encouraging water conservation such as the reuse of reclaimed water as provided in the 10-Year Water Supply Facilities Work Plan.

As described in the project's Development Agreement, the proposed development's water services shall be designed to use reclaimed water, if made available by the City. The proposed development shall establish connections for re-use of reclaimed water if and when available.

Recreation and Open Space Element

OBJECTIVE 1.1: Level of Service: The City shall continue to provide an adequate system of parks and recreation facilities which meet the needs of the existing and future population of Sunrise.

Policy 1.1.1: The municipal park land level of service (LOS) shall be three (3) acres per 1,000 existing and projected permanent residents. The acreage that may be used to meet this requirement is listed in the Community and Regional Parks subsection of the Plan Implementation Requirements section of the BrowardNext Broward County Land Use Plan.

The proposed development would generate demand for an additional 6.75 acres of community parks (net change in demand of 4.94 acres as compared to permitted uses under the existing land use designation). The proposed development includes the construction of a 7-acre park which will be dedicated to the City, exceeding the anticipated demand from the future residents.

Policy 1.7.2: Amendments to the City of Sunrise Land Use Plan containing golf courses, including closed golf courses, shall be consistent with Policy 2.5.5 of the BrowardNext: Broward County Land Use Plan, as amended.

The proposed amendment would convert Commercial Recreation land, which was previously used as a golf course and country club, to an Irregular Residential designation. The approximate fifty-seven (57) acres of Commercial Recreation which encircles the amendment site would not be re-designated; however, it would cease function as a golf course and would be converted to a 230-foot wide open space buffer.

(Per Broward Next: Broward County Land Use Plan Policy 2.5.5.)

a. The impact of the loss of open space on the surrounding residential areas. The loss of open space must be mitigated through provision of parks and open space to serve the surrounding neighborhood.

Currently this open space area cannot be used by the surrounding residents, as the golf course has been closed since 2015. The proposed development includes a 7-acre park, which would be owned by the City and opened for the benefit of the public. The park would include a splash pad, playground, seating area, volleyball court, and three pavilions. In addition, as noted above, the new residential development would be separated from the adjacent existing residential developments by a 230-foot wide open space buffer which will include landscaping and lakes or retention ponds.

b. Management of storm water retention taking into account the extent to which the golf course provided storm water retention for the surrounding development and how this will be mitigated, along with any additional storm water impacts created by the new development.

The project site and the surrounding Regency Club developments are linked together as part of the City of Sunrise Basin 9 and share a common control structure with outfall to the South Florida Water Management District (SFWMD) C-13 Canal. The project site will continue to share the common outfall after the redevelopment of the golf course with single-family homes and townhomes. Stormwater retention capacity on the project site, removed due to the new residential dwelling and impervious area, will be replaced by the construction of a series of interconnected lakes around the perimeter of the site within the 230-foot wide buffer. Stage-storage calculations will be done to show the proposed condition is equal to or better than the existing permitted condition. Water quality requirements of the site will be met within the proposed lake system without modifying the existing control structure.

- c. Minimization of the impact on natural resources including wetlands, lakes, aquifer recharge areas and the tree canopy, including any historic trees on the site.*

An existing conservation easement protects a lake with a littoral area in the northwest corner of the project site. The land underlying this easement is partially designated Low-Medium (10) Residential and partially designated Commercial Recreation. The boundary of the proposed Irregular Residential designation would exclude the conservation easement and the portion currently designated as Low-Medium (10) Residential would be re-designated to Commercial Recreation.

The amendment site contains approximately 0.31 acres of isolated wetlands. Mitigation for impact to the poor-quality wetland areas will be provided as required by the SFWMD Environmental Resource Permit (ERP) and Broward County Environmental Resource License (ERL).

Some of the existing lakes on site would need to be filled as part of the proposed development. All necessary environmental permits for regulatory agencies including Broward County, SFWMD, and Florida Department of Environmental Protection would be obtained. A replacement system of interconnected lakes would be created within the 230-foot wide buffer around the perimeter of the amendment site.

Since the site was a golf course for many years, the site contains a number of large specimen trees. The project will attempt to preserve as many of the trees as possible. The applicant will also investigate the possibility of relocating some of the larger specimen trees that are in great condition to prominent locations on-site such as the proposed park, streetscape or cul-de-sacs.

- d. Mitigation of environmental contamination. The level of environmental contamination must be determined by conducting a Phase 1 environmental assessment. A Phase 2 environmental assessment may be required based upon the findings of the Phase 1 assessment.*

The Phase 1 environmental assessment prepared by Ayden Environmental identifies a Recognized Environmental Concern related to the prior use of the project site as a golf course. The Development Agreement requires the property owner to enter into an Environmental Assessment and Remediation license with Broward County Environmental Protection and Growth Management Department (EPGMD).

The Environmental Assessment and Remediation shall require that a Site Assessment and Remediation Plan be prepared and implemented, and a “No further Action with Conditions” letter must be obtained from the EPGMG. Groundwater use shall be prohibited through a declaration of restrictive covenant. Onsite soils within the Irregular Residential designation, as well as those areas specifically indicated in the Development Agreement, shall be in compliance with the Residential Direct Exposure Soil Clean Target Level as approved by EPGMD and certified by a Florida registered professional engineer. Only fill meeting the Residential Direct Exposure Soil Clean Target Level may be used for the proposed park, roadway improvements and restoration of the lake shoreline.

- e. Integration of the proposed development with the surrounding areas including how the development will tie into the existing neighborhoods through roads, sidewalks, parks/open space and greenways.*

The proposed development would be accessed via a proposed new road off NW 30 Place, between Golfview Apartments to the east and Quail Run Condos to the west. This road would be comprised of a parcel of real property that the City will acquire in a fee simple title for a public park entryway, and is outside of the proposed amendment area. The new road would be approximately 500 feet east of the T-intersection of NW 30 Place and Sunrise Lakes Drive and includes an adjacent ten (10) foot multi-use path for pedestrian and bicycle use. A new seven (7) acre park would be publicly accessible via the road or path and a lake within a conservation easement would provide additional visual relief. A gated entry at the end of the road would separate the residential dwellings from the public amenities and surrounding areas. A 230-foot wide open space would encircle the entire proposed development and function as a buffer form the existing residential areas.

Staff Evaluation

The proposed Land Use Plan Amendment is consistent with the existing land use patterns in the area and is consistent with the Goals, Objectives and Policies of the City of Sunrise Comprehensive Plan.

Staff Recommendation to the Planning and Zoning Board, March 3, 2022

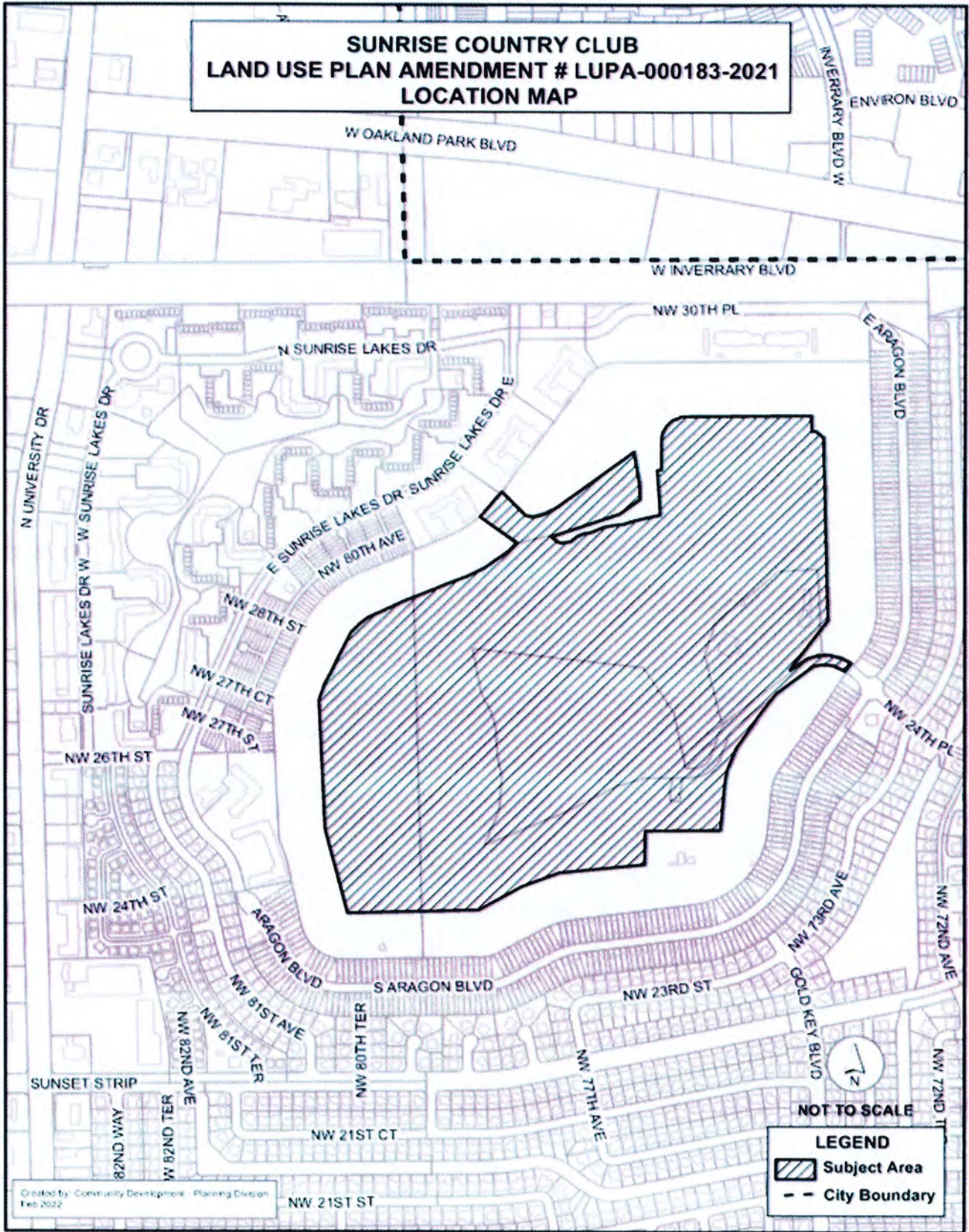
Staff recommends approval of the proposed Land Use Plan Amendment subject to the following conditions:

1. Execution and recordation of a mutually agreed upon legally enforceable mechanism between the City of Sunrise, Broward County and the applicant regarding the applicant’s voluntary affordable housing commitment including language that requires the annually certification to the City and Broward County compliance with such mechanism.
2. Execution and recordation of a mutually agreed upon legally enforceable mechanism between the City of Sunrise and the applicant regarding the applicant’s voluntary commitment to restrict the existing and proposed Commercial Recreation land use designation surrounding the amendment area, to only those uses permitted in the City of Sunrise’s Recreation and Open Space land use designation.

3. The applicant has voluntarily agreed the City shall not hold the second public hearing for this land use plan amendment, since details within the amendment are based upon the dedication of seven (7) acres of land to the City of Sunrise for a public park and the construction of a public park entryway (as referenced in the Development Agreement recorded at Instrument No. 117336162 in the Broward County Public Records), until such time the City acquires fee simple title for the public park entryway.

Planner: Matthue Goldstein 
File No. LUPA-000183-2021 (94:060002)

Location Map



Future Land Use Map

