

THE GOLDSTEIN ENVIRONMENTAL LAW FIRM, P.A.
Brownfields, Transactions, Due Diligence, Development, Permitting, Cleanups & Compliance

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November 20, 2019

Via Email & FedEx

Mr. Chris Lagerbloom, City Manager
City of Fort Lauderdale
100 N. Andrews Avenue
Fort Lauderdale, Florida 33301

Re: Request for Designation of the Property Located at 900 NW 7th Avenue, Fort Lauderdale, FL 33311, Identified by Folio Number 4942-34-05-9750, as a Green Reuse Area Pursuant to §376.80(2)(c), Florida Statutes

Dear Mr. Lagerbloom:

On behalf of Seven on Seventh, Ltd. ("Seven on Seventh"), we are pleased to submit this Request for Designation of the property located approximately at 900 NW 7th Avenue, Fort Lauderdale, Broward County, Florida 33311, Folio Number 494234-05-9750 (the "Subject Property"), as a Green Reuse Area pursuant to section 376.80(2)(c), Florida Statutes, of Florida's Brownfields Redevelopment Act.

When fully developed as an affordable housing community, the Subject Property will consist of a single building with a total of 72 units. Tenants amenities will include a clubroom, fitness center, library, business center, and game room (the "Development"). The completed Development will have an estimated cost of approximately \$27.1 million. A legal description and property card depicting the location of the Subject Property are enclosed herein at Exhibit A.

Seven on Seventh is applying for this designation due to the presence of groundwater contamination on the northern adjoining property arising from an historical discharge of diesel fuel from an underground storage tank ("UST") associated with an emergency generator. The discharge occurred in 2009, but assessment, remediation, and groundwater monitoring at the source property are still ongoing. As such, Seven on Seventh is likely to incur significant costs and additional risks related to

the presence of groundwater contamination so close to the Subject Property that it must carefully address to avoid migration of contamination.

The presence of contaminated groundwater adjacent to Subject Property combined with the potential for migration of additional contamination during dewatering activities makes it materially more expensive and time consuming for the developer, the developer's investors, and the developer's lenders to move forward with the Project. Accordingly, this designation, if granted, will allow Seven on Seventh to access limited but important state-based economic incentives to help underwrite the otherwise unbudgeted costs associated with managing the environmental risk as well as, generally, put the Development on a more certain financial ground. In this sense, the designation will not only play a critical role in the successful redevelopment of the Subject Property, but also in the larger revitalization efforts for this area of Fort Lauderdale.

In considering a request for this type of designation, a local government must evaluate and apply the criteria set forth in section 376.80(2)(c), Florida Statutes. As reflected in the Statement of Eligibility incorporated herein at Exhibit B, Seven on Seventh meets such statutory criteria. Accordingly, based on the foregoing, we respectfully request that staff recommend approval. Of course, as you evaluate the application and supporting materials, please feel free to contact us with any questions or should further information be required. Thank you.

Very truly yours,

THE GOLDSTEIN ENVIRONMENTAL LAW FIRM, P.A.



Michael R. Goldstein
/mrg

Enclosures

cc: Ms. Luisa Agathon, Assistant to the City Manager, City of Fort Lauderdale
Mr. D'Wayne Spence, Assistant City Attorney, City of Fort Lauderdale
Mr. Oscar Sol, Principal, Seven on Seventh, Ltd.