



City of Margate

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Meeting Minutes City Commission Workshop

Mayor Anthony N. Caggiano

Vice Mayor Tommy Ruzzano

Commissioners:

Antonio V. Arserio, Arlene R. Schwartz, Joanne Simone

City Manager Samuel A. May

Interim City Attorney Goren, Cherof, Doody & Ezrol, P.A.

City Clerk Joseph J. Kavanagh

Tuesday, January 22, 2019

7:00 PM

Commission Chambers

CALL TO ORDER

Present: 5 - Commissioner Joanne Simone, Commissioner Antonio V. Arserio, Commissioner Arlene R. Schwartz, Vice Mayor Tommy Ruzzano and Mayor Anthony N. Caggiano

In Attendance:

City Manager Samuel A. May
Interim City Attorney Shana Bridgeman
City Clerk Joseph J. Kavanagh

1) PRESENTATION(S)

A. [ID 2018-761](#) DESIGN GUIDELINES UPDATE

DEVELOPMENT SERVICES DIRECTOR, ROBERT J. MASSARELLI introduced Charles Michelson from Saltz Michelson Architects and explained that he would be making a PowerPoint presentation on the Design Guidelines. He advised he would explain about the implementation of those Guidelines after Mr. Michelson's presentation.

SALTZ MICHELSON ARCHITECTS PRINCIPAL CHARLES MICHELSON explained that he would briefly go through a review of the Design Guidelines with the premise being to encourage the design and construction of projects which harmonized their surroundings, demonstrated a high standard of quality and promoted superior designs in the City of Margate. He discussed the many objectives of the Guidelines which included chapters on the City of Margate architecture style and design elements. He also highlighted the use of pedestrian amenities, landscaping materials that create a quality of space, access, walkways, lighting, outdoor dining areas, noise levels, texture and fabric of the city pertaining to shapes and colors and materials which would also create a contemporary attractive environment. He advised that the entire Guideline package was approximately 30 – 40 pages long and described in detail what the expectation was.

MAYOR ANTHONY N. CAGGIANO asked what was considered a good design concept.

SALTZ MICHELSON ARCHITECTS PRINCIPAL MICHELSON explained that an architect would design to an overall theme which changed from the 1980s developer standard. He advised that they were now seeing experiential architecture which was all part of the design concept and referenced texture such as aromatherapy, video monitors and music being played in stores. He also discussed the continuity of a design and design palette

and referenced and provided examples. He said that the national tenants were responding to this throughout Florida and that they had to abide to local Design Guidelines pertaining to materials, textures and character and that they had to respect the signage packages.

MAYOR CAGGIANO questioned whether it was critical for the City to have a wide color palette.

SALTZ MICHELSON ARCHITECTS PRINCIPAL MICHELSON said that it was important to have a large range of color palette which would not take away the individuality from anybody developing a property within the City. He indicated that the extensive range would allow individuality but also protect the City against someone painting a building in an outrageous color which could be deemed offensive.

COMMISSIONER JOANNE SIMONE said that they should be mindful that they were not creating a cookie cutter in terms of the color scheme by looking the same in their new Design Guidelines.

SALTZ MICHELSON ARCHITECTS PRINCIPAL MICHELSON concurred with Commissioner Simone's sentiments and repeated elements of the design palette.

COMMISSIONER ARLENE R. SCHWARTZ referenced the TV program, Project Runway and compared the similarities in design to this discussion. She said that she forwarded an article to the City Clerk which pertained to the purchase of 21 different shopping centers in Florida which demonstrated a different design point of view.

Discussion ensued on the design palette and buildings that had been grandfathered in.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI gave a PowerPoint presentation on the implementations recommended by staff. He explained that the reasons they were doing this was to create a consistent image for the City, to promote corporate and franchise designs that were consistent with Design Guidelines and harmonize projects with their surroundings. He advised that the process and Guidelines would not happen overnight as it would be a 20+ year process. He said that they wanted to promote diversity of a design within a shopping center and that they did not just want one uniformed style. He explained that those Guidelines would apply in the following zoning districts of B1, B2 and B3 within their business districts, the Transit Oriented Corridor (TOC) of TOC C and TOC G.

VICE MAYOR TOMMY RUZZANO questioned why the TOC was still there.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI advised that the TOC would still be there until they changed the Code.

Discussion ensued on the TOC.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI indicated that the Comprehensive Plan adoption hearing was scheduled for June 2019.

Discussion ensued on the TOC and Comprehensive Plan.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI returned to the presentation and said that the other zoning categories would be the M1, M2 and 1A which were the industrial zoning districts, as well as the Planned Unit Development (PUD) and the R3

and R3A were the multi-family districts. He stated that the Design Guidelines would not apply to R1 or R2 which were the single family or duplex homes. He said that commercial buildings and developments including accessory buildings such as a dumpster enclosure would be impacted by this. He explained how they would retrofit the additions and re-model existing commercial buildings. He advised that there would be certain buildings and structures that would be exempt from those Guidelines that included new single family homes or additions on remodeling of existing single family homes. He said that there would be a variety of temporary structures such as a tent and routine maintenance of a structure that would also be exempt from the Design Guidelines. He said that new buildings including multi-family, industrial and City owned buildings would need to meet the Guidelines. He said that he was also advised that if a building was destroyed or would have to be brought up to more than 51 percent of its value, the entire building up to be Code Complaint. He also said that this would also apply to renovation works that exceed 51 percent. He explained that as they go forward with this, they would have a very clear description of how that 51 percent was determined and gave an example of the linear length or square footage of the façade. He indicated that staff suggested that in certain areas such as a town center or development area, these regulations should be mandatory. He referenced the State Road 7 Master Plan which was completed several years ago and said that he had previously spoken about a downtown area at a previous Workshop and said that it would evolve over time when they work on the Comprehensive Plan and define the different zones which could be adjusted. He said that within a new PUD, any new commercial or multi-family development, stand-alone, single tenant commercial buildings and any additions to existing buildings would also be required. He advised that one of the options was to make the entire Guidelines optional and explained that it could be challenging from staff's point of view.

COMMISSIONER SIMONE questioned why they would only make it mandatory in the downtown area and not throughout the whole City.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI advised that would be a decision for the Commission but staff believed that it would be more difficult to get the economics to work and provided examples of Chevy Chase Plaza and Ace Plaza.

Discussion ensued.

COMMISSIONER SCHWARTZ discussed the term encouraged.

COMMISSIONER SIMONE asked if an applicant was previously turned down for a Code issue and they wanted to re-apply due to the new standard, could they return to the Board.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI confirmed that they could reapply once that had been adopted. He discussed implementation and referenced number five from the PowerPoint presentation which referenced business friendly. He said that the Building Department, Department of Environmental and Engineering Services (DEES) and Development Services would continue permitting services into a one-stop permit shop which was positive for businesses. He advised that City Code and procedures would be continually reviewed to provide consistency, clarity, predictability in the permitting process and every effort would be maintained to streamline the process.

MAYOR CAGGIANO suggested that they should have multiple inspections on the same day and provide a problematic list before the next inspection.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI concurred with Mayor Caggiano

and said that it was a very important process and explained that he was working with the Building Director on how to coordinate that process better. He said that the biggest complaint was how long it took to receive a permit. He provided alternatives of how they could implement this, the first being that it could be kept the way it was which was part of the Development Review Committee (DRC). He suggested that would be the most easiest to implement it as would not require any changes in the Ordinances or procedures. He advised that the second alternative would be to keep the DRC but to bring on an architect to conduct a peer review. He explained that the consultant would be able to review the proposed designs to see if they were consistent with the Design Guidelines. He said that under their Code, they were allowed to bring in experts and charge the applicant for that service. He said that the third alternative was to have the DRC and provide their recommendations to the Planning and Zoning (P&Z) Board and they would sit as the reviewing agency to make a final determination. He said that next would be to have the DRC, the P&Z and an Architect Review Board (ARB) to review a project. He forewarned that an ARB would have a lot of implications such as staffing, Clerk responsibilities such as meeting announcements, scheduling of meetings and writing of Minutes and questioned how would they interact with the DRC and P&Z. He said that another alternative would be the DRC with the Architecture Peer Review which would need to go to the City Commission for final determination and suggested that you could add the P&Z onto that process.

VICE MAYOR RUZZANO referenced architecture standards and said that it was supposed to go before the Commission before it went to DRC.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI advised that the DRC would look at the site plan for the location of utilities, configuration of the parking lot, landscaping requirements but on the architectural side, they would need to say what the Guidelines were and provide a recommendation to the Commission concerning the architecture. He also explained that when it goes to the Commission, they would need to deal with the architectural designs but not the layout of the property due to the technical issues.

Discussion ensued on projects and those that were approved which did not go before the Commission.

CITY MANAGER SAMUEL A. MAY advised of a two-step process for the Commission. He explained that he would look at the building elevations that would come before the Commission, similar to the DRC, which would also need to be brought back if there were any recommended changes.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI said that the final alternative that was identified was classification based. He explained that if there were minor revisions to the site, it would stay at staff level but if it was a change to the use or a site plan modification, then it would go to the DRC.

Discussion ensued on color palettes, variances, City projects and connectivity.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI emphasized that there would be different types of redevelopment and activities if the Commission required to see everything. He suggested that the Commission could break it into different classes if required.

Discussion ensued.

VICE MAYOR RUZZANO had a concern with the change of use and provided an example

of a mechanic shop on State Road 441 which had intended to change to a coffee shop but was converted to a check cashing store.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI advised that the City could enter into a developers' agreement.

Discussion ensued on change of use, Zoning Ordinance and Local Business Tax Receipt (LBTR).

DEVELOPMENT SERVICES DIRECTOR MASSARELLI advised that the staff were tightening up the process for LBTR where applicants had to put in writing exactly what they were proposing. He said that he would need to do some research and refer to the City Attorney about that process.

Discussion ensued.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI said that they reviewed what the other 27 cities in Broward County had and explained that 11 cities had plan review it at the DRC level, nine other communities go to the P&Z level and seven go all the way to the City Commission. He said that the staff recommends the DRC and the Architecture Peer Review which would be based on the guidance from the City Commission as to the business friendly objective and streamlining process.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI asked for guidance from the Commission.

PLANNING AND ZONING BOARD MEMBER RICHARD ZUCCHINI, 380 LAKEWOOD CIRCLE E, #B, explained that the P&Z Board would be very heavily involved in reviewing and advising on the Comprehensive plan and said that he wanted to ensure that they were equipped with enough learned expertise to try and help with that advice. He advised that at the initial stage of reviewing the Comprehensive Plan, they should be encouraged to invite professional speakers such as Florida Department of Transport (FDOT), South Florida Water Management District (SFWMD) and Florida Power & Light Company (FPL). He said that he disagreed that the single family homes were exempt and asked for the classification of a town house. He suggested that the Commission should attend DRC meetings for when a larger project arises. He discussed indigenous landscaping for single family homes which he claimed that the City of Oakland Park had implemented. He also discussed harmonized surroundings and a home town feel for the City.

Discussion ensued on the TOC, beautification of the City, hometown feel and redevelopment.

Meeting went into Recess.

Meeting Reconvened.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI explained that he wanted to go through a couple of staff comments on the Guidelines before he asked three questions to the Commission. He said that he wanted a clear statement of intent and indicated that one of the reasons the TOC had failed was that "one size fits all" did not work. He explained that they were also talking about activity centers in the new Comprehensive Plan which he had previously presented to the Commission and the architectural standards should reflect those different areas. He advised that Crime Prevention through the Environmental Design (CPTED) was an important factor and that they were working

with the Police Department and Code Enforcement. He indicated that they were looking into getting someone trained in CPTED so they could review site plans, inspect projects and see if they met the Guidelines. He advised that CPTED had been around for a very long time and that it was well proven and had reduced incidents of crime. He said that they were currently looking at duplications and inconsistencies with the current code. He suggested that there was a lack of graphics in the front of the draft and said that most people preferred visual rather than read and translate into an image. He recommended that they should look at what other communities had done and questioned whether the Guidelines presented by Mr. Michelson met the Commission's objectives.

MAYOR CAGGIANO suggested that as he had not seen any disagreement, he would presume that Mr. Massarelli was correct in his assessment.

Discussion ensued.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI questioned whether the Guidelines should be voluntary, mandatory or a combination of both. He said that his assessment from the Commission was that they should be mandatory.

COMMISSIONER ARSERIO said "most" being cautious but in general, they should be mandated.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI sought clarification whether it should go to the DRC, have the Architecture Peer Review process it as suggested by Mr. Zucchini or should it go to the Commission first. He advised that the staff's recommendation would be DRC with an Architecture Peer Review and then it would go to the Commission.

MAYOR CAGGIANO said that he would go with that.

COMMISSIONER SIMONE said that it should go to the DRC then to the Architecture.

COMMISSIONER ARSERIO said the buck should stop with the Commission.

MAYOR CAGGIANO said that when it comes in front of the Commission, they should state what their issues are, if any and take a vote of yes or no without going back. He said that the applicant would then be aware of what issues they would have to fix if it was voted no.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI summarized the Commission's feedback and said that the order was the DRC, with an Architecture Peer Review and then it would go to the Commission for final approval for the architectural details. He said that it would then go to the Building Department to issue a building permit.

COMMISSIONER SCHWARTZ questioned what the P&Z Board would have done in between that.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI explained that it was an alternative that a lot of cities used as they brought a different perspective to the review. He also advised that in some cities, the P&Z was the final determination. He said that it would not go to the P&Z for special exceptions.

Discussion ensued.

COMMISSIONER SCHWARTZ asked why she would not want to hear what five other people saw at the same time due to the make-up of the P&Z Board. She said that the Commission was the Architectural Review Board. She suggested that her order would be the DRC, the Architectural Peer Review, P&Z and then the City Commission.

Discussion ensued.

VICE MAYOR RUZZANO suggested DRC but he was not in favor of the Architectural Peer Review due to a previous dealing with an Architect. He also said that he would like to see the P&Z and come back to the City for review but was concerned that they would not be able to change it unless they had Codes.

Discussion ensued on the implementation of Code and Guidelines.

VICE MAYOR RUZZANO questioned whether they could provide the Commission with an architectural drawing for feedback.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI said that would result in five individual feedbacks and that he would need to get his direction from the City Manager.

VICE MAYOR RUZZANO suggested that the next time a building came before them, that it could be critiqued at either a one-on-one or a Workshop.

Discussion ensued.

VICE MAYOR RUZZANO recommended landscaping criteria to be approved.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI advised that the landscaping Code needed work.

Discussion ensued on the landscaping Code and Dandee Donut.

MAYOR CAGGIANO said that he would add the P&Z.

COMMISSIONER ARSERIO concurred with Mayor Caggiano by including P&Z in the process.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI confirmed the structure to be DRC with the Architecture Peer Review at the same time then it would go to the P&Z to make a recommendation to the City Commission with the P&Z review would strictly on the architectural design. He recommended a separate Workshop for uses.

COMMISSIONER SCHWARTZ referred back to compliance pertaining to the Dandee Donut.

Discussion ensued on landscaping, working with developers and the seeing site plans after they were reviewed by the DRC.

COMMISSIONER SIMONE advised additional training for the introduction of a new Board as well as P&Z so they knew what they were looking for. She also recommended that the architect was there for the DRC.

Discussion ensued on outside consultants.

DEVELOPMENT SERVICES DIRECTOR MASSARELLI advised that the process to go forward was to write an Ordinance, they would have to finalize the design standards, would need to work with the City Attorney as they would need it to be incorporated into the Code. He said that they would have to take it to the P&Z for review and recommendation and that they would also hold a Workshop with that Board, then they will return it to the Commission for a Workshop and then they could put out the Ordinance.

COMMISSIONER SCHWARTZ referenced Mr. Nicholson's presentation and asked about the theme for the City.

Discussion ensued on the zones for the City and fences under Code.

PLANNING AND ZONING BOARD MEMBER ZUCCHINI explained that Lauderdale by the Sea redeveloped and remodeled from the ocean to the bridge and that they unified their look by using the same pavers on sidewalks and lighting. He also discussed individual franchises having their own respective look.

MAYOR CAGGIANO closed the meeting by thanking Mr. Massarelli and the City Clerk.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:26pm.

Respectfully submitted,

Transcribed by Salene E. Edwards

Joseph J. Kavanagh, City Clerk

Date: _____

PLEASE NOTE:

If a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, the person will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Anyone desiring a verbatim transcript shall have the responsibility, at his/her own expense, to arrange for the transcript.

[Appendix A – Zoning – Section 3.3] Any representation made before any City Board, any Administrative Board, or the City Commission in the application for a variance, special exception, conditional use or request for any other permit shall be deemed a condition of the granting of the permit. Should any representation be false or should said representation not be continued as represented, same shall be deemed a violation of the permit and a violation of this section.

Any person with a disability requiring auxiliary aids and services for this meeting may call the City Clerk's office at (954) 972-6454 with their request at least two business days prior to the meeting date.