



**REGULAR MEETING OF
THE PLANNING AND ZONING BOARD
MINUTES**

Tuesday, November 1, 2016

7:00 PM

City of Margate
Municipal Building

PRESENT:

Todd E. Angier, Chair
Anthony Caggiano, Vice Chair
Teresa DeCristofaro
Phil Hylander
Catherine Yardley

ALSO PRESENT:

Benjamin J. Ziskal, AICP, CECD, Director of Economic Development
Timothy Finn, Senior Planner
Diane Colonna, Executive Director, Margate Community Redevelopment Agency
Cotter Christian, Margate Community Redevelopment Agency
Paul Robinson, Economic Development Coordinator
Ken Stapleton, Ken Stapleton & Associates

ABSENT:

The regular meeting of the Planning and Zoning Board of the City of Margate, having been properly noticed, was called to order by Chair Todd Angier at 7:04 p.m. on Tuesday, November 1, 2016. The Pledge of Allegiance was recited, followed by a roll call of the Board members.

APPROVAL OF THE MINUTES FROM THE SEPTEMBER 6, 2016 AND OCTOBER 4, 2016 PLANNING AND ZONING BOARD MEETINGS

Mr. Angier pointed out a typographical error on page three of the September 6 minutes. No other corrections were brought forth.

Mrs. DeCristofaro made the following motion, seconded by Mrs. Yardley:

MOTION: SO MOVE TO APPROVE THE MINUTES AS WRITTEN

ROLL CALL: Mrs. DeCristofaro, Yes; Mr. Hylander, Yes; Mrs. Yardley, Yes; Mr. Caggiano, Yes; Mr. Angier, Yes. The motion passed with a 5-0 vote.

Economic Development Department

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City Commission

Mayor Tommy Ruzzano
Vice Mayor Joyce W. Bryan
Lesa Peerman
Joanne Simone
Frank B. Talerico

City Manager

Douglas E. Smith

City Attorney

Douglas R. Gonzales

City Clerk

Joseph J. Kavanagh

2) NEW BUSINESS

As a point of clarification, Mr. Angier pointed out that the meeting agenda incorrectly referenced the following agenda item as PZ-05-16 instead of PZ-09-16.

2A) PZ-09-16: PROPOSED AMENDMENT TO THE MARGATE COMMUNITY REDEVELOPMENT PLAN

Ben Ziskal briefly introduced the item. He explained that the Margate Community Redevelopment Agency (CRA) was created in 1996 with a 30 year life span. He said the CRA had been operating under the current CRA Plan that was last updated in 2009. He advised that the CRA retained Ken Stapleton, Ken Stapleton and Associates, to provide an update to the CRA Plan which would serve as the CRA's guide for the next ten years.

Ken Stapleton explained the purpose of the meeting. He advised that State law required that the Planning and Zoning Board must find the update to the CRA plan to be consistent with the City's Comprehensive Plan and other land development regulations. He proceeded with a PowerPoint presentation and said he would cover an overview of the plan rather than go into a great deal of detail due to its length.

Mr. Stapleton showed a map of the CRA district. He explained that the plan update was essentially a housecleaning undertaking and that no previously approved policies were changed. He said the updates included: adjustments to reflect changes to the Zoning Code since 2009; the removal of outdated language and images; updated financial projections; updated project and program descriptions to ensure they reflected current policies; integrated of City Center implementation plan activities that had been previously approved; adjustments based on new requirements in State law with explanations of how our policies were consistent with them; and a highlighting of the CRA's priority projects. He reiterated that the CRA plan had to be consistent with the Comprehensive Plan and that it had to reflect the shared vision currently in place and going forward and that it had to be consistent with changes in State law since 2009.

Mr. Stapleton said that some of the key adjustments to the plan included: reorganization of the plan to make it less wordy and more readable; updated financial projections as well as the accomplishments, market conditions, City Center plans, and project/program descriptions. He said they added sections for Neighborhood Impacts as required by State law and Safeguards for Implementation. He noted that both the City's Economic Development staff and the CRA's staff had reviewed both sections and provided edits and they were reflected in the copy the Board received. In addition, he said a portion of the updated Transit Oriented Corridor (TOC) requirements was inserted, existing policies were clarified, and an appendix that explained the ways the plan met various State requirements was added.

Mr. Stapleton explained the approval process. He said there had been a variety of meetings with stakeholders and the public and a draft of the plan had been given to the CRA Board for their feedback. He said that day's meeting was the next step and if there were any suggested amendments, the plan would be updated and it would go back to the CRA Board for their formal approval. After approval by the CRA Board, he said the City would notify the local taxing authorities and then it would go to the City Commission for approval.

Mr. Angier advised the Board members that their purpose was to decide whether the CRA plan lined up with the City's Comprehensive Plan; he said it was not to discuss the projects within the plan.

Ben Ziskal stated that Staff's finding was that the CRA plan was in compliance with the Comprehensive Plan. He commented about the uniqueness of the Margate CRA noting that it encompassed almost all of the State Road 7/U.S. 441 corridor and most of the Atlantic Boulevard corridor, as well as some adjacent residential areas next the City Center area. He spoke about the long range planning efforts that had been done between the City and the CRA which included the development of the TOC, a 1,200 acre mixed-use development corridor along U.S. 441, noting that Margate was the first city in Broward County to undertake such a large initiative. He noted how the past joint efforts have enabled the CRA and City to move down parallel tracks which has made it easier to make changes to the CRA Plan and the City's Comprehensive Plan because the plans were complementary to each other. He said the CRA and City have worked closely for at least the past 11 years and they would continue to do so until the CRA sunset in ten years. He said the intent was to have a seamless transition in 2026 when the City would continue the CRA's efforts; the seamless transition would be to simply follow the Comprehensive Plan that worked in tandem with the CRA Plan.

Mr. Ziskel said the Staff's review found the CRA Plan to be in compliance and it recommended approval of the plan update.

Mr. Caggiano made the following motion, seconded by Mrs. DeCristofaro for discussion:

MOTION: TO APPROVE

Mr. Hylander asked what the effect would be if the Planning and Zoning Board did not approve it. Mr. Ziskal responded that the Planning and Zoning Board was a recommending body and everything that came before it could move to the City Commission with the Board's recommendation of approval or denial. He said the City Commission could choose to follow the Board's recommendation or not. He said that if the Planning and Zoning Board recommended that the CRA plan was not in compliance with the City's Comprehensive Plan, the Economic Development staff would review the reasons given for denial and evaluate those policies and that would then be given to the City Commission for them to make a finding on whether the CRA plan complied with the Comprehensive Plan. He said if the City Commission said it did not comply, the CRA would be charged with making the necessary revisions to bring it into compliance. He said the Comprehensive Plan was a legally binding document approved by the State of Florida and the CRA Plan must comply with its provisions.

Mr. Hylander said he was under a different impression and that the main thing was whether the CRA plan complied with the City's Comprehensive Plan. He said he probably would have read the Comprehensive Plan had he reviewed the item with that in mind.

Mr. Caggiano said that he agreed with Mr. Hylander and he suggested tabling the item until the Board received a copy of the Comprehensive Plan to read and compare.

Mrs. DeCristofaro said that nothing in the report [CRA plan] was a surprise as she had attended enough meetings and workshops and, while she might not agree with everything in it, she said it was accurate and followed the direction that the CRA and City staff had for the City.

Mr. Ziskal commented that the Comprehensive Plan was a four-inch book that dealt with many aspects including how the City used land, public schools, water, sewer, recreation and open space, capital improvements, housing, etc. Rather than require the Board to read the entire plan, he said the CRA built in the language for the relevant parts which were about the Land Use Element and the TOC. He said the Board could read the entire Comprehensive Plan but the most relevant parts were those provisions about mixed use, land use, density, transformation of roads from auto-oriented to multi-modal to encourage bicycle and sidewalk improvements, increased open space, and increased landscaping. He said it was by design that the CRA and staff tried to incorporate that language into the CRA plan to serve as a reference so the Board could see the efforts that had been made on the City side since the time the TOC was created nine years ago. He said staff could provide a copy of the Land Use Element of the Comprehensive Plan with the understanding that the TOC was the relevant part because it almost mirrored the CRA boundary. He said the whole Comprehensive Plan was not relevant to the CRA Plan.

Diane Colonna reiterated that new CRA Plan did not deviate much from the CRA Plan that had been in place since 2009. She noted that this would be the third amendment to the CRA Plan: the first plan was adopted in 1997; that plan was amended in 2001, and then again in 2009. She explained that the reason for amending the plan was to keep it fresh and updated due to new conditions, direction and/or new projects. She said the direction had not changed much but the CRA had better and more specific information with which to update the plan, including infrastructure improvements, the City Center, the parks improvements, the streetscape, etc. She said the CRA had a five-year capital plan that was now included in the updated CRA plan. She said that none of the plans in the CRA Plan deviated from the Comprehensive Plan. Ms. Colonna said she welcomed the Board's comments, opinions and concerns.

Mr. Caggiano commented that the Board was being asked if the CRA Plan was consistent but it did not have anything to compare it to. He asked Ms. Colonna if that were correct. She said if the Board was not comfortable making the finding, the item could be continued. She said it was unlikely that they would find anything different, noting that Mr. Ziskal had found it to be consistent. Ms. Colonna advised that the Statute stated that the Board could take up to 60 days.

Mr. Caggiano made the following motion which died for the lack of a second:

MOTION: TO TABLE

Mr. Hylander said that he had read the CRA Plan and that it seemed that the City should have already been doing 85 percent of it including addressing blight, policing, fire, sense of community, etc. He said that what was being done in the CRA district should be being done in the City as a whole. He questioned why the CRA had to step in and do all those things the City should be doing. Ms. Colonna responded that the CRA might not necessarily be doing all the things in the plan; rather they might provide funding or support for the initiatives. She stated that the CRA was an agency of the City, like another department that worked in concert with

the City. She said the CRA provided a different funding source based on tax increment financing that came from three sources: Broward County, North Broward Hospital District, and the City. She said that without the CRA, the City would not receive funds from Broward County or the Hospital District. She pointed out that those additional funds enabled the City to do some of the programs that the City might not otherwise be able to do such as some park improvements, streetscape improvements, as well as many events and activities. She said they may possibly develop a community policing program in the future.

Mrs. DeCristofaro referenced page 8, and the statement that the CRA captured nearly \$17 million in tax revenues from 2009 to 2015 and that amount was expected to substantially grow over the next ten years. She asked how the CRA could know how much it might receive. Ms. Colonna responded that it was an estimate based on past growth and trends in the economy.

Mr. Hylander commented on the tax increment funding, and asked what the CRA's budget was for 2016-17. Ms. Colonna said she did not have the budget with her, but it included borrowed funds and other funds that were carried forward so it was in the range of \$20 million range.

Mr. Hylander referenced page 17, under Objectives, item 1b), and asked why the comments about lot size were even included as they were confusing. Ms. Colonna said the goals were established early on when a Finding of Necessity was done and the CRA brought them forward. Since it had been identified initially, she said they added a note that they had no issue with it. Mr. Hylander commented that it should have been taken out since it no longer applied.

Mr. Hylander said he could not reconcile how the CRA Plan was in sync with the Comprehensive Plan. He said it sounded like it was and that maybe it was because he had issues with the Comprehensive Plan. He mentioned a few areas where he found little inconsistencies such as with frontage roads and unsightly dumpsters.

Mr. Ziskal commented that the Board appeared to have a general level of discomfort and the best thing might be to table the item. He said he could provide a copy of the Land Use Element of the Comprehensive Plan and it could be brought to the next Board meeting and Staff could prepare a written report outlining the different policies of the Comprehensive Plan and the provisions of the CRA Plan. In reference to dumpsters, he said there was a Code revision but dumpsters still needed to be enclosed. Mr. Hylander disagreed. Mr. Ziskal said he would provide a copy of the current Code section as well.

Mr. Angier asked whether the inclusion of verbiage pertaining to frontage roads in the CRA plan represented a mandate for their creation. Mr. Ziskal responded that he made a great point and he proceeded to explain that anything the CRA wanted to do must be included in their plan. If they attempted to do anything that was outside of their plan, they would be in violation of Chapter 163 of the Florida Statutes. He said, therefore, that a CRA plan would always be larger in scope than what they would actually accomplish. He said it represented a tool box of all the things that they could and might do, but they did not have to do everything that was in their plan.

Mrs. DeCristofaro asked whether the plan could include the creation of a structured group like a Woman's Club that would continue the CRA's beautification efforts in the City through fundraising after the CRA sunset. Ms. Colonna responded that the plan did not have anything

that specific but that there was a category for art and culture initiatives. Mrs. DeCristofaro asked if it could fall under that category. Ms. Colonna responded that it might be possible depending on the purpose. She said the CRA could participate in funding various programs of that nature if they could enhance Margate's image as an arts community and entertainment destination. Mrs. DeCristofaro said she wanted to have it on the record because she felt it was something positive that should be done and that the groups/organizations should be in place and functioning before the CRA sunset. Ms. Colonna said that there would likely be at least one more update to the CRA Plan before it sunset that would cover specific details on the transition.

Mr. Ziskal advised that there was a section in the amended CRA plan that referenced preparing for the dissolution of the CRA and how it would work with City staff, particularly the Economic Development Department, and economic development organizations like the Margate Chamber of Commerce and Greater Fort Lauderdale Alliance and others. He concurred with Ms. Colonna's comments and said the City's eyes were already on the ten-year mark.

ROLL CALL: Mrs. DeCristofaro, Yes; Mr. Hylander, Yes; Mrs. Yardley, Yes; Mr. Caggiano, Yes; Mr. Angier, Yes. The motion passed with a 5-0 vote.

3) **GENERAL DISCUSSION**

Ben Ziskal introduced Paul Robinson, Business Development Coordinator, and he explained that his role was focused on economic development initiatives and he would be the liaison to the business community and Chamber of Commerce and would work on the job creation and business retention aspects of the department. He mentioned that Paul's position was shared with and partially funded by the CRA.

There being no further business, the meeting was adjourned at 7:44 p.m.

Respectfully submitted,

Prepared by Rita Rodi

Todd E. Angier, Chair