



#### City Commission

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

#### City Manager

Douglas E. Smith

#### City Attorney

Eugene M. Steinfeld

#### City Clerk

Joseph J. Kavanagh

## REGULAR MEETING OF THE PLANNING AND ZONING BOARD MINUTES

**Tuesday September 1, 2015**

**7:00 PM**

City of Margate  
Municipal Building

#### **PRESENT:**

Todd Angier, Chair  
Anthony Caggiano, Vice Chair  
Teresa DeCristofaro  
Catherine Yardley (arrived 7:05)

#### **ALSO PRESENT:**

Benjamin J. Ziskal, AICP, CEcD, Director of Economic Development  
Andrew Pinney, Associate Planner

#### **ABSENT:**

Pat Maher, excused

The regular meeting of the Margate Planning and Zoning Board/Local Planning Agency, having been properly noticed, was called to order by Chair Todd Angier **at 7:00 p.m. on Tuesday, September 1, 2015**. The Pledge of Allegiance followed. A roll call of the Board members was taken.

#### 1) APPROVAL OF THE MINUTES FROM THE JUNE 2, 2015, PLANNING AND ZONING BOARD MEETING.

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

**MOTION:** SO MOVE TO APPROVE THE MINUTES

**ROLL CALL:** Mr. Angier, Yes; Mr. Caggiano, Yes; Mrs. DeCristofaro, Yes; Ms. Maher, Absent; Mrs. Yardley, Absent. The motion passed with a 3-0 vote.

#### **Economic Development Department**

5790 Margate Boulevard, Margate, FL 33063 • Phone: (954) 935-5330 • Fax: (954) 935-5304  
[www.margatefl.com](http://www.margatefl.com) • [edevdirector@margatefl.com](mailto:edevdirector@margatefl.com)

2) **PZ-10-15** – CONSIDERATION OF A **REZONING** FOR CELEBRATION POINTE

**LOCATION:** 2850 NORTH STATE ROAD, MARGATE

**ZONING:** PLANNED RESIDENTIAL DEVELOPMENT (PUD)

**LEGAL DESCRIPTION:** A PORTION OF TRACT "A", OF "CELEBRATION POINTE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 178, PAGE 67, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

**PETITIONER:** JAY HUEBNER, HSQ GROUP, INC.

Vice Chair Caggiano read the item title.

Ben Ziskal provided an overview of the item. He explained that the project was approved in 2006 for a residential development in a Planned Unit Development (PUD) zoning district. Through the PUD zoning approval process, he said all the specific elements of the project were approved at the same time, unlike other zoning districts which were typically broader designations where the specifics were worked out later.

He explained that when a PUD was changed in any way, it had to be reapproved. Since the original approval went through a zoning approval, he said it had to be treated as a rezoning which seemed confusing because it reads that it was going from PUD zoning to PUD zoning. He said it was actually reapproving the development with different levels of intensity. He explained that it was considered a rezoning because prior to it being a PUD, it had been rezoned from something else to PUD, and any changes to that must be handled as a rezoning from a legal aspect.

Mr. Ziskal showed a PowerPoint presentation and gave a brief history of the project. He explained that the project had been in the works for almost ten years. He said the project was originally approved as a "for sale" townhouse project for 412 units in 2006. He spoke about how the market shifted from "for sale" units to rentals in South Florida. In 2008, he said the project was reapproved from 412 townhouse units to 580 apartments, and it was broken into two phases with 290 units in phase one (north) and 290 units in phase two (south). When the final site plan was approved for phase one, the developer decided it wanted to change the configuration of the unit mix to allow for 282 units in phase one, and it transferred the remaining eight units to phase two, bringing phase two to 298 units. Mr. Ziskal explained that the item before the Board tonight was a request to reduce the number of units from 298 to 252 units. The reduction was in part the result of the developer wanting to build a more luxurious product on the south side with more and larger two and three bedroom units.

Mr. Ziskal pointed out that they [Celebration Pointe] had a right to the 46 units that were being reduced and that they may add a phase three to the project in the future. He noted that phase one was currently under construction with no changes from the original plan.

He showed slides of the building elevations for phase one and phase two and pointed out some of the differences. In phase one, the building had a common stairwell which was traditional in two and three story apartments, surface parking, and limited garage parking. In phase two, he pointed out how residents on the third floor had a separate stairwell than those on the second floor.

Mrs. DeCristofaro asked whether the buildings had elevators. Mr. Ziskal responded that elevators were not required unless the building were four stories or higher. He noted that the ground floor units were handicap accessible.

Mr. Ziskal pointed out how some of the units in phase two could come with a dedicated parking space in a garage that had direct access to the resident's unit. He said the intent was to provide a more luxurious mode of living but it also provided the ability to offer the units for sale should the market demand shift.

Mr. Ziskal reiterated that the purpose of the meeting was to approve the reduction of 46 units in phase two of the development. He also stated that the property had all the necessary entitlements with regards to water, sewer, roads, schools, etc.

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

**MOTION:** TO APPROVE

Mrs. DeCristofaro expressed a concern about the lack of elevators and handicap access for the second and third floor units. Mr. Ziskal responded that the Florida Accessibility Code that was governed by the State of Florida Building Code required handicap accessibility at common areas such as by the pool and club house, but it did not require that all units be made handicap accessible. He noted that the ground floor would have handicap accessible units.

Mr. Caggiano referenced the justification document in the meeting back-up, page 14, section 5, and asked whether the dates for the water use projections listed were old or whether they were misprints. Mr. Ziskal said the analysis

included in the back-up was done when the entire project was approved for 580 units.

Mr. Caggiano asked about the potential for a phase three and the remaining 46 units. Mr. Ziskal responded that it was phase two that was being decided upon at this meeting and if they were to add one more unit, they would need to come back before the Board to amend the document. Mr. Ziskal said phase three plans would be discussed with them in the future. He said if they did not intend to build using the 46 units in a reasonable amount of time, the City would recapture the units for use on another project.

Chair Angier thanked Mr. Ziskal for clarifying the rezoning request. Mr. Angier said he personally liked the concept of the developer having the flexibility to convert the units to "for sale" units in phase two. He said he also liked the internal stairwell and the other adjustments they made.

Mr. Ziskal apologized for the short notice and provision of the meeting back-up. He explained that due to a communication error by City staff, the applicant missed the Development Review Committee (DRC) meeting and their item was tabled. He said he did not think it was appropriate to table the item for one month so it was brought forth within a week after DRC approval.

**ROLL CALL:** Mr. Angier, Yes; Mr. Caggiano, Yes; Mrs. DeCristofaro, Yes; Ms. Maher, Absent; Mrs. Yardley, Yes. The motion passed with a 3-0 vote.

### 3) GENERAL DISCUSSION

Mrs. DeCristofaro commented that she liked the design aspect of the project as well as the other development going up. She said staff had done a good job of obtaining quality developers to enhance the view of the City.

Mrs. Yardley had no comments.

Mr. Caggiano said the project looked great. He said he hoped that traffic would not become an issue and that the traffic lights could be adjusted to maintain a smooth flow of traffic.

Chair Angier said he was excited about the possibility that the Penn Dutch Plaza as well as others around would become popular and grow. He said he also hoped that shopping plazas on the east side might improve their appearances as they become more in demand. He said he saw the north end becoming something special with all the medical uses growing.

He encouraged Mr. Ziskal to not back down from the development he envisioned for the City. He commented that the City had 105 acres of parks and that there was a projection for over 200 acres of parks; he asked where the additional 100 acres would come from. Mr. Ziskal responded and clarified that there were 105 acres of City parks, but when an analysis was done, they were able to count parts of the golf courses and other recreational amenities in the City. He explained that the Parks and Recreation Department was undergoing a Master Plan to look at adding more park space and more programmatic features. He said the 105 acres represented City owned parks but there were also several private owned parks such as Coral Bay and some of the homeowner associations. He said the Parks and Recreation Master Plan would define the needs long term. He said the Board of Adjustment would have an opportunity to see and weigh in on the 30 year vision for open space parks and recreation and amenities within the City.

Mr. Caggiano said he attended some of the meetings for the Parks and Rec Master Plan and people commented that a lot more parks were needed. He stated that the City needed to make sure that the existing parks were maintained to the highest standards.

Mrs. DeCristofaro asked whether access to the waterways would be expanded. Mr. Ziskal responded that indoor recreation, outdoor recreation, and the waterways were all being looked at as part of the comprehensive review that was being done. He said the Board would see many of the items come before in the next few years as the City's Comprehensive Plan got updated.

Chair Angier asked about whether Andrew Pinney was replacing Courtney O'Neill's open position. Mr. Ziskal advised that Courtney O'Neill had taken a position with a private consulting firm. He explained that Economic Development had two Associate Planner positions. Mr. Ziskal introduced Rita Rodi as the new Office Manager in the department. Chair Angier said he was very impressed with the Economic Development Department. Mr. Caggiano concurred. Chair Angier commented that the Economic Development team were enthusiastic, had a vision, and were fun to work with which was different than how it been in the City in the past.

Mrs. DeCristofaro asked about the progress on the art program. Mr. Ziskal said the program would continue to move forward. He said an ordinance would be coming before them in a few months once the budget was approved and the details on the financial and liability aspects of the program had been worked out. He said \$20,000 had been proposed in the City budget and the CRA Board agreed to a match.

Mr. Caggiano asked if there was a standard way that other cities managed

their art programs. Mr. Ziskal said all cities did it differently and it could be done several different ways; he mentioned a few of the possible options.

There being no further business, the meeting was adjourned at 8:37 p.m.

Respectfully submitted,

Transcribed by Rita Rodi

Todd Angier, Chair

cc: City Commission, City Manager, City Attorney, City Clerk, Director DEES,  
P&Z Board, Petitioner(s)