



City of Margate

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Meeting Minutes City Commission Workshop

Mayor Tommy Ruzzano
Vice Mayor Arlene R. Schwartz
Commissioners:
Antonio V. Arserio, Anthony N. Caggiano, Joanne Simone

City Manager Cale Curtis
City Attorney Janette M. Smith
City Clerk Joseph J. Kavanagh

Thursday, February 13, 2020

4:00 PM

Commission Chambers

CALL TO ORDER

ROLL CALL

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

City Manager Cale Curtis
City Attorney Janette M. Smith
City Clerk Joseph J. Kavanagh

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

1) PRESENTATION(S)

A. [ID 2020-075](#) MARGATE 2.0 - PRESENTATION AND VISION STATEMENT WORKSHOP

THE MELLGREN PLANNING GROUP, INC., MICHELE MELLGREN explained that her firm had been hired by the City to update the Comprehensive Plan and the future Land Use Element. She introduced Althea P. Jefferson and indicated that she wanted input on two items from her PowerPoint presentation. She said that the purpose of today's Workshop was to obtain approval of a Vision Statement and also to confirm the direction that you would like them to take regarding the Transit Oriented Corridor (TOC). She described a detailed project approach which included existing conditions which was required by Chapter 163 Florida Statutes which they had completed. She advised that the second requirement by Statute was public input and thirdly, to prepare a Design Statement which was a verbal narrative of how they envisaged the City to grow in the future. She said that they would return to the City with the Design Statement to ensure that they had concurrence and their final objective was to prepare new goals, objectives and policies which were required and part of the Comprehensive Plan. She continued with her PowerPoint presentation which included the accomplishment on public outreach.

COMMISSIONER ANTONIO V. ARSERIO referenced the PowerPoint slide pertaining to business community and religious leaders which he said he was unaware of and questioned when and how they were interviewed.

THE MELLGREN PLANNING GROUP, INC., ALTHEA P. JEFFERSON explained that they were provided with a list of names and contact information by then City Project Manager, Robert Meehan. She explained they used that data to make contact with the individuals. She informed that all the information that had been collected from all sources was provided to the City.

Discussion ensued.

THE MELLGREN PLANNING GROUP, INC., MS. MELLGREN continued with her PowerPoint presentation. She described the seven key issues which formed and detailed the Vision Statement components which included to continue with superb public services, improvements in infrastructure, some beautification, particularly along Commercial and the 441 corridor, community-wide events, to come up with distinct destinations which would include the downtown and continue with the economic prosperity. She asked whether they concurred with those components of the Vision Statements.

COMMISSIONER ANTHONY N. CAGGIANO said that he did not see one of those six items that he could argue with.

MAYOR TOMMY RUZZANO agreed but said that they had a Community Redevelopment Agency (CRA) in the City which would hit those items.

VICE MAYOR ARLENE R. SCHWARTZ stated that they were not showing them anything that had not been said for the last 20 years. She said that she attended two of the five public meetings and highlighted some of the suggestions made by the residents and indicated that she was disappointed as those comments was not the intent of those meetings.

Discussion ensued.

THE MELLGREN PLANNING GROUP, INC., MS. MELLGREN discussed the TOC and referenced Jeff Katims who provided guidance by attending two previous Workshops. She referenced public support that indicated the elimination of the TOC which would be consistent with the vision for the whole corridor and requested confirmation as to whether they wanted to restore to the original. She said that both her and the Interim Director of Development Services Pinney met with the Executive Director, Barbara Blake Boy of Broward County Planning Council. She said at that meeting, they discussed restoring the TOC to exactly what was on the map prior to the institution of the TOC and explained that the Executive Director Blake Boy thought it would be very cumbersome and hard to do. She indicated that one of the issues was that in the creation of the TOC, there were some development rights that were traded off in order to meet traffic level concerns. She forewarned that there would be no guarantee that they would get the County to go through that cumbersome process and that it would be going in a different direction to what the County had envisaged. She repeated her request from the Commission to give them direction as they could update the future Land Use Element as to what they would like them do with the TOC.

MAYOR TOMMY RUZZANO stated that he was totally against the TOC. He said that the County needed to re-look at their plan due to the density and building work they were doing.

Discussion ensued on the TOC.

COMMISSIONER CAGGIANO referenced Jeff Katims and said that they discussed putting a listing of Margate versus the TOC and how their rules were more stringent than what the TOC necessitated. He said that he did not recall receiving a list.

THE MELLGREN PLANNING GROUP, INC., MS. MELLGREN explained that there was supposed to have been a third Workshop where that information would have been disseminated and discussed but the former administration did not get that scheduled in time and therefore, it did not happen.

Discussion ensued on the proposed third Workshop, the TOC, Zoning and parking issues.

COMMISSIONER ARSERIO questioned what was the 10 percent they could not fix.

THE MELLGREN PLANNING GROUP, INC., MS. MELLGREN said that she heard that there was not a desire for mixed use development on the Comprehensive Plan language and forewarned that they would not be able to get around that entirely. She indicated that Mr. Katims suggested that they could make it optional and place some restrictions but they would have to allow it somewhere within the City.

Discussion ensued on mixed use, vertical and horizontal mixed use.

INTERIM DIRECTOR OF DEVELOPMENT SERVICES ANDREW PINNEY interjected and provided explanation on the Workshops he attended. He said that at the Workshop at the end of 2017, Mr. Katims promised to provide the analysis to compare the traditional single use versus the TOC. He said that Mr. Katims returned to the second Commission meeting in March, completed the second Workshop and showed them the analysis. He indicated that was when they started the wheel of the surgical approach with the long term vision of completely taking out the TOC which was accomplished at the end of 2018. He referenced September 5th, 2018, Ordinance No. 1506-45 and that they pushed the Zoning as far they could go within their current adopted Comprehensive policies to the TOC. He said that they needed CONSENSUS.

COMMISSIONER ARSERIO said that he was willing to take a risk by getting rid of the TOC but warned that they would have a battle with the County.

COMMISSIONER JOANNE SIMONE confirmed that she was not in favor of eliminating the TOC and suggested that they would be going backwards to the Zoning that had for the B2 and B3. She tried to convince and change the opinions of the Commission on the matters that she had researched from previous meetings by reading a list of what the TOC did and the reasons for maintaining it.

Discussion ensued including trees and landscaping in the Zoning Code.

COMMISSIONER JOANNE SIMONE asked if there would be a legal analysis for eliminating the TOC. She said that there were lots of questions in her mind that she was not comfortable with or repealing it. She advised that they could have the TOC and that they had the control to change what they did not want to change.

THE MELLGREN PLANNING GROUP, INC., MS. MELLGREN said that she would refer Commissioner Simone to the City Attorney. She confirmed that they would be required to do a map amendment to change the entire map.

Discussion ensued including vertical mixed use, the effects and potential amendments of

the Bert J. Harris Act, storage facility of the South end of town and the Vision Statement.

VICE MAYOR SCHWARTZ was frustrated that she had seen a lack of progression during the last four years. She defined the terms "mixed use" and "mixed properties". She said it would be great if they could surgically remove all the things that no one liked in the TOC and do that in the 12 months, as opposed to the two years in a Comprehensive Plan amendment but repeated that they had got no further than where they were currently.

THE MELLGREN PLANNING GROUP, INC., MS. MELLGREN said that they were not engaged at that time to work on the Comprehensive Plan and repeated her request for a final direction. She explained that the map amendment was a lengthy process and forewarned that it could take up to approximately eight months to one year to accomplish.

Discussion ensued.

COMMISSIONER JOANNE SIMONE indicated that the four changes that the Commission asked for had been met. She also believed that the land value increased when horizontal mixed use was with horizontal mixed use.

Discussion ensued including mixed use and horizontal use, office buildings and Class A business space.

VICE MAYOR SCHWARTZ asked what direction did they give The Mellgren Planning Group.

Discussion ensued on amending and leaving the TOC.

CITY ATTORNEY JANETTE M. SMITH confirmed that they had met with other attorneys but said that she wanted to see where this Commission was going and based on the decisions, she could get back to them with any legal analysis.

Discussion ensued on obtaining a legal analysis before making a decision.

THE MELLGREN PLANNING GROUP, INC., MS. MELLGREN said that there was a potential to be sued.

Discussion ensued if litigation was pursued.

CITY ATTORNEY SMITH questioned that if that was the wish for the Commission, she would move forward with reviewing this and referenced the Bert J. Harris Act.

Discussion ensued on the legal process, the Bert J Harris Act, changing the Zoning and policies, mixed use and creating the Downtown.

CITY MANAGER CALE CURTIS suggested that the Commission should identify the key issues with the TOC in the Comprehensive Plan policies and questioned if there was a clear CONSENSUS not to build directly up on to 441.

Discussion ensued on the setbacks from the TOC.

COMMISSIONER ARSERIO said that he wanted a few days to review this.

VICE MAYOR SCHWARTZ said residential mixed use.

MAYOR RUZZANO said that he wanted setbacks from the street, from left to right and on water storage.

THE MELLGREN PLANNING GROUP, INC., MS. MELLGREN recapped on the Commission's comments and said that she heard that Commissioner Arserio wanted a few days to think about this and he would give his concerns to the City Manager. She said that she would defer to the City Manager of the economic impact use versus something that was traditional which she said was outside the purview of what they did. She said that she heard Commissioner Simone say that she was very much in favor of keeping the TOC and questioned whether she had any concerns with any aspect of the TOC.

COMMISSIONER SIMONE confirmed that she had nothing else at this time.

CITY MANAGER CURTIS said that Ms. Mellgren did a good job summarizing where they were at. He asked the Commission to gather their thoughts and submit their issues and concerns at their respective Agenda Reviews on Tuesday.

VICE MAYOR SCHWARTZ requested if they could be sent the Regulations that were within the TOC.

CITY MANAGER CURTIS confirmed that he would work with the Interim Director of Development Services Pinney.

Discussion ensued on setbacks.

THE MELLGREN PLANNING GROUP, INC., MS. MELLGREN confirmed that they would obtain a list and do an analysis of those issues and what they could accomplish by changing the policies. She suggested that thereafter, she could bring it back to them where she hoped they could get some direction at that point on what they want to do with the TOC.

RICHARD ZUCCHINI, 380 LAKEWOOD CIRCLE E explained that he had attended approximately three of the Margate 2.0 Presentations as well as the National Night Out and he also took pictures of the story boards. He said that the overwhelming response from the residents was against higher density developments and indicated that in some cases, they were for town houses and single family homes. He questioned what would be the objection to redefine what mixed use was in the TOC and that the City's definition would not include residential. He also said that prior to The Mellgroup being hired, the Planning and Zoning wanted to see a sample Comprehensive Plan of a similar city of the same size which, he said, was never met. He also questioned parking on mixed use development.

Discussion ensued.

JULIE JONES, 7871 NW 1ST STREET referenced a restaurant with an apartment on top and said that she agreed with Mayor Ruzzano.

Discussion ensued.

THE MELLGREN PLANNING GROUP, INC., MS. MELLGREN confirmed that she got the CONSENSUS on the vision and that it was agreed that there was nothing that they would argue with that was consistent with their Strategic Plan Vision. She explained that they

were down to the second question which was what to do with the TOC which was surgical versus the wholesale change that they may not get. She recapped and said that they were going to quantify all of their issues and the questions that they articulated. She said that they hoped to return to another Workshop or Commission meeting and present their findings.

VICE MAYOR SCHWARTZ requested an update on a potential Architectural Standards Board.

INTERIM DIRECTOR OF DEVELOPMENT SERVICES PINNEY indicated that they may want to contact the CRA Executive Director and advised that he was working with a gentleman who was going to prepare new architectural guidelines and procedures for that.

THE MELLGREN PLANNING GROUP, INC., MS. MELLGREN advised that there was legislation pending right now which was of great concern. She said that she was, by contract, the Planning Director for Parkland and that they had a Community Appearance Board. She also said that the Legislator right now was pending a bill that would preclude any city from dictating, reviewing or having to approve the architectural appearance of any single family or two family dwelling but this would not necessarily affect commercial.

Discussion ensued.

MAYOR RUZZANO thanked the Mellgren Planning Group and said that he received great feedback from some Parkland officials about Ms. Mellgren and her company. He referenced and discussed Southwest Ranches.

Discussion ensued.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:16pm.

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.

One or more members of the City of Margate advisory boards may be in attendance and may participate at the meeting.