



**REGULAR MEETING OF
THE PLANNING AND ZONING BOARD
HYBRID VIRTUAL MEETING
<https://us02web.zoom.us/j/81235958030>
MINUTES**

**Tuesday, April 5, 2022
6:00 p.m.
City of Margate
Municipal Building**

PRESENT:

Todd Angier, Chair
Fred Bourdin, Vice Chair
Catherine Yardley, Secretary
Grant O'Donnell, Board Member
Sloan Robbins, Board Member

STAFF PRESENT:

Elizabeth Taschereau, Director of Development Services
Andrew Pinney, AICP, Senior Planner
Chris Gratz, Senior Planner
Howard Pavillard, Office Manager, Development Services
David Tolces, Interim City Attorney

The regular meeting of the Planning and Zoning Board of the City of Margate, having been properly noticed, was called to order at 6:03 p.m. on Tuesday, April 5, 2022, in the City Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, FL 33063.

1) OATHS

Interim City Attorney David Tolces administered the Oath of Office to the members of the Planning and Zoning Board.

2) NEW BUSINESS

- A) 1D2022-160
ELECTION OF CHAIRPERSON OF THE PLANNING AND ZONING BOARD

Development Services Department

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City Commission

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

City Manager

Cale Curtis

Interim City Attorney

Weiss Serota Helfman
Cole & Bierman

City Clerk

Joseph J. Kavanagh

Mr. O'Donnell made the following motion, seconded by Mr. Bourdin:

MOTION: NAME TODD ANGIER AS CHAIR OF THE PLANNING AND ZONING BOARD.

ROLL CALL: Mr. Bourdin – Yes; Mr. O'Donnell – Yes; Mr. Robbins – Yes; Mr. Angler – Yes; Ms. Yardley - Yes

B) *ID2022-161*

ELECTION OF VICE-CHAIRPERSON OF THE PLANNING AND ZONING BOARD

Mr. O'Donnell made the following motion, seconded by Mr. Robbins:

MOTION: NAME FRED BOURDIN AS VICE-CHAIRPERSON OF THE PLANNING AND ZONING BOARD

ROLL CALL: Mr. Bourdin – Yes; Mr. O'Donnell – Yes; Mr. Robbins – Yes; Mr. Angler – Yes; Ms. Yardley - Yes

C) *ID2022-162*

ELECTION OF SECRETARY

Mr. Robbins made the following motion, seconded by Mr. O'Donnell:

MOTION: NAME CATHERINE YARDLEY AS SECRETARY OF THE PLANNING AND ZONING BOARD

ROLL CALL: Mr. Bourdin – Yes; Mr. O'Donnell – Yes; Mr. Robbins – Yes; Mr. Angler – Yes; Ms. Yardley - Yes

3) **BOARD MEMBER ORIENTATION**

A) *ID2022-170*

BOARD MEMBER ORIENTATION

Interim City Attorney Tolces introduced himself and gave a brief presentation covering the following subjects:

- Sunshine Law
- Florida Public Records Law
- Code of Ethics as it relates to voting

Andres Pinney, Senior Planner, introduced himself and thanked the incoming Board members for their service. He gave a new Board member orientation and discussed the following items:

- City Code of Ordinances, Section 286
- Rules and Procedures
- Duties
- Florida Statutes related to the governing body
- Items Reviewed by the Board
- Meeting Schedule
- Locating Meeting Materials on City Website

The next item was advertised to the public to begin at 7:00 p.m.

Mr. Bourdin made the following motion, seconded by Mr. Robbins:

MOTION TO CALL FOR A FIVE (5) MINUTES RECESS UNTIL 7:00 P.M.

ROLL CALL: Mr. Bourdin – Yes; Mr. O'Donnell – Yes; Mr. Robbins – Yes; Mr. Angler – Yes; Ms. Yardley - Yes

2) NEW BUSINESS (CONTINUED)

D) *ID2022-163*

CONSIDERATION OF A **SPECIAL EXCEPTION** TO PERMIT A DRIVE-THROUGH LANE FOR THE PROPOSED PUBLIX PHARMACY IN PALM LAKES PLAZA.

LOCATION: 7230 WEST ATLANTIC BOULEVARD

ZONING: B-2 COMMUNITY BUSINESS

LEGAL DESCRIPTION: PARCEL "B" OF "ORIOLE-MARGATE SECTION "4," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 78, PAGE 20, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PETITIONER: HEIDI DAVIS KNAPIK, AGENT FOR PUBLIX SUPERMARKETS, INC.

Interim City Attorney Tolces swore in all those giving testimony.

Mr. Pinney presented the item. He reviewed a PowerPoint presentation of the subject property explaining that the Publix located at 7230 W. Atlantic Boulevard recently went through a site plan modification approval process. They are now requesting a special exception to permit a drive-through for the pharmacy.

Mr. Pinney explained the overall process for a Special Exception review, which is located in Section 31-54 of the City Code. He explained if the Board determines the proposed use is in compliance with the Code, they may recommend approval to City Commission with or without conditions, or they may deny the application.

Mr. Pinney discussed the general review standards and criteria which must be met for a Special Exception to be granted. He explained that all ten (10) criteria were reviewed by the DRC on March 8, 2022 and approved with conditions.

Mr. Pinney thoroughly discussed findings and comments received from members of the DRC. He stated that the applicant is in the process of addressing these items. He noted that some items are still pending resolution, however, the applicant has agreed to address them. He reported that the applicant submitted a revised traffic study. The findings determined that the drive-through lane will not generate a greater amount of traffic. He added that additional landscaping will be installed to mitigate adverse effects to neighboring residential areas. He discussed loading zones and restricting left turning movements to vehicles exiting the property and stated that additional signage would be installed to address both.

In closing, Mr. Pinney stated that staff found the application to be consistent with the Comprehensive Plan and the Zoning Code. He reiterated that the DRC recommended conditional approval on March 8, 2022, and that City staff recommends approval subject to the DRC comments.

Chair Angier discussed traffic counts and does not believe the number of cars coming and going will change due to the drive-through. Chair Angier asked how many cars are allowed for stacking. Mr. Pinney stated that the code requires 3 stacking spaces or 60'. He said the applicant is proposing 75', which is nearly 4 cars.

Mr. Bourdin in favor of a drive-through as a convenience to customers.

Chair Angier asked to hear from the applicant.

Heidi Davis, representing the applicant, addressed the Board. She introduced herself gave and PowerPoint presentation. She explained that the project will be completed in phases. She stated that all the DRC comments have been addressed. She explained that they are proposing five (5) full stacking spaces. She added that there will be large landscape buffers.

Interim City Attorney Tolces asked that each person identify themselves as prior to speaking to assist in minute preparation.

Ms. Davis introduced Carl Peterson, traffic engineer. Mr. Davis discussed trip generation specific to drive-throughs. He reviewed data collected at a Publix pharmacy drive-through lane in Miramar. He discussed pharmacy hours, which are 9:00 a.m. to 8:00 p.m. He noted a maximum stacking capacity of two (2) vehicles and stated the drive-through was very lowly utilized.

Continuing, Ms. Davis discussed the existing conditions and proposed architectural changes. She explained that the proposed use does satisfy the Special Exception criteria. She said a detailed analysis of responses to comments provided by the DRC was included in the agenda backup, as well as additional materials to assist in making a determination.

Mr. Bourdin asked how long the project was going to take. Ms. Davis said the project would begin in June and take one (1) year to complete.

Chair Angier referred to a photo on Page 6 of the agenda. He has concerns about the windows by ATM and asked if cameras are going to be installed there. Allison Perdon, developer, said there were no plans to make any changes to the area.

Chair Angier opened the public hearing.

Meredith Vargo, resident of Palm Lakes, spoke in favor of the project. She has a concern about traffic congestion. She explained coming off Atlantic Boulevard and going south on Rock Island Road there are two (2) entrances before Palm Lakes. She said there used to be congestion when CVS was there.

Chair Angier asked Mr. Pinney to address the issues discussed by Ms. Vargo. Mr. Pinney deferred to Mr. Peterson.

Mr. Peterson said eliminating the CVS building will be a benefit to improving circulation. He added that overall, they are reducing 22,000 SF of retail space.

Ms. Davis stated that signage will be placed for vehicles that will allow only right turns from the south entrance.

Tracy Van Winkle, no address stated, spoke in favor of the project. She suggested one-way travel behind the building for truck deliveries. She discussed the phased construction process and asked if the existing businesses would remain open. It was confirmed that they would.

Juli Van Der Meulen, no address stated, asked if this would be similar to another Publix she visits at Wiles Road and Riverside Drive. It was confirmed that it would.

The public hearing was closed.

Ms. Yardley asked if it would always be limited 20 cars. Mr. Peterson said that today it is underutilized, and he thinks that Publix would like to see greater use of the space.

Chair Angier quoted Field of Dreams and said, "If you build it, they will come."

Chair Angier asked Mr. Pinney about the conditions recommended by the DRC. Mr. Pinney

Mr. O'Donnell made the following motion, seconded by Mr. Bourdin:

MOTION TO APPROVE A SPECIAL EXCEPTION TO PERMIT A DRIVE-THROUGH LANE FOR THE PROPOSED PUBLIX PHARMACY IN PALM LAKES PLAZA

ROLL CALL: Ms. Yardley – Yes; Mr. Bourdin – Yes; Mr. Robbins – Yes; Mr. O'Donnell – Yes; Mr. Angler – Yes

4) GENERAL DISCUSSION

Mr. Bourdin stated that he is looking forward to serving on the Board and that it is a pleasure to meet everyone.

Chair Angier thanked the Board for allowing him to serve as Chair. He referenced the Board orientation and suggested the members not have conversations outside of meetings. He suggested getting Ms. Yardley out of the "penalty box" and asked to remove the social distancing shields.

There being no further business to discuss, the meeting was adjourned at 7:54 p.m.

Respectfully submitted,

Transcribed by Crysta Parkinson, Prototype, Inc.



Todd Angier, Chair

FRED BOURDIN V. Chair