

**MINUTES OF THE REGULAR  
BEACH REDEVELOPMENT ADVISORY BOARD MEETING  
MONDAY, JUNE 21, 2004 - 3:00 P.M.  
CITY HALL  
CITY COMMISSION CONFERENCE ROOM - EIGHTH FLOOR  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA**

**BOARD MEMBERS**

	<b>Absent/ Present</b>		<b>Cumulative from 2/16/04</b>
		<b>(P)</b>	<b>(A)</b>
<b>Pamela Adams</b>	<b>A</b>	<b>4</b>	<b>1</b>
<b>Brad Fitzgerald</b>	<b>P</b>	<b>4</b>	<b>1</b>
<b>Steve Glassman</b>	<b>P</b>	<b>5</b>	<b>0</b>
<b>Eileen Helfer</b>	<b>P</b>	<b>5</b>	<b>0</b>
<b>Ina Lee</b>	<b>P</b>	<b>5</b>	<b>0</b>
<b>Al Miniaci</b>	<b>A</b>	<b>4</b>	<b>1</b>
<b>Judy Scher</b>	<b>P</b>	<b>5</b>	<b>0</b>
<b>Linda Gill</b>	<b>P</b>	<b>4</b>	<b>1</b>
<b>Henry Sniezek</b>	<b>A</b>	<b>4</b>	<b>1</b>
<b>Mel Rubinstein</b>	<b>P</b>	<b>5</b>	<b>0</b>

**STAFF**

Chuck Adams, Beach Redevelopment Board Liaison  
Paul Costanzo, Principal Planner  
Stu Marvin, Aquatic Complex & Beach Patrol Operations Manager  
John Hoelzle, Acting Parking & Fleet Service Manager  
Lindwell Bradley, Code Enforcement  
Dennis Girisgen, Acting City Engineer  
Kathy Connor, Parks Supervisor  
Carol Mordas, Riverwalk Manager  
Patricia Smith, Secretary  
Margaret A. D'Alessio, Recording Secretary

**GUESTS**

John R. Smith	John Rockell
Richard Gray	Jim Durham
Mike Grimmé	Paul Flanigan
Frank Gernert	Christine Becher
Aaron Benoliel	Roger Handevidt

Heidi Davis  
Russel Dion  
Perides Papamichalis  
Paul Kissinger

Jerry Fallowell  
Ian Creese  
Bruce Reed  
Chad Burtonell

### **CALL TO ORDER**

Chair Ina Lee called the meeting to order at approximately 3:00 p.m. and roll call was taken.

### **APPROVAL OF MINUTES – May 17, 2004**

**Motion** made by Steve Glassman and seconded by Linda Gill to approve the minutes of the May 17, 2004 meeting. Board unanimously approved.

### **PRESENTATION – NBRA AND SLA AREA OVERLAY, HISTORIC AND CONSERVATION DISTRICT OVERVIEW AND WORK PARAMETERS**

Paul Costanzo, Principal Planner stated that one of the major work items for Fiscal 2004 was the development of a zoning tool that would assist the improvement, redevelopment and preservation of the NBRA and SLA zoned areas of the Central Beach. He further stated that he was going to break this down into existing conditions, existing zoning, definition of an overlay district, definition of a historic district, and definition of a conservation district, because all 3 were different. He explained that they were going to look at building code provisions and advised that the City's former building official, John Smith, was present to help answer any questions. He further advised that they were going to identify the impediments found and then make a recommendation to the Board.

#### **NBRA Subject Area**

Paul Costanzo stated that the NBRA subject area was bounded on the west by Bayshore Drive, Bonnet House on the north, Bayshore Drive on the south and mid-block between Birch Road and Breakers Avenue on the east. He proceeded to show a map of the area.

#### **SLA Subject Area**

Paul Costanzo explained that the SLA subject area was bounded by the Intracoastal on the west, Sunrise Boulevard on the north, A-1-A on the east, and Bonnet House on the south. He proceeded to show a map of the area.

#### **NBRA Area**

Paul Costanzo stated that the NBRA area was a mix of low, mid and high-rise

condominiums, 2-3 story apartment complexes, and small resorts and hotels. He proceeded to show pictures of various structures in the area.

#### Existing SLA Area

Paul Costanzo stated that the SLA area was a mixture of high-rise condominiums, high-rise hotels, parking garage, grade parking, small retail shops, restaurants, and bars. He proceeded to show pictures of the structures in the area.

Paul Costanzo explained that both districts constituted 138 properties, including 132 buildings, and 111 of which were only 1-2 stories. He stated that 8 buildings ranged from 3 - 5 stories, and 13 buildings were 6 stories or higher. He added there was also a mixture of small resorts, hotels, rental apartments, condominiums, retail shops, and restaurants.

#### Existing NBRA Zoning

Paul Costanzo stated that the existing NBRA zone allowed for hotels, residential uses (unqualified), restaurants, high-rise residential buildings, and hotels, but not permitting any outdoor service, along with accessory retail. He explained there was no minimum lot size in this zone, and density was 32 units per acre for residential units, and 50 units per acre maximum for hotels. He stated that the maximum height in the area was 120', and yard requirements were 20' for front yards, 1/2 the building height for side and rear yards. He explained the yard requirements could be reduced somewhat via approaching the City Commission for site plan approval.

Mr. Costanzo further stated that maximum building length and width was 200', and parking varied according to use. He stated the important aspect of the parking standard was that it could be reduced in the Central Beach by payment of a fee, but it could not be reduced or eliminated for cause in the NBRA district as could be done in the other districts.

#### Existing SLA Zoning

Paul Costanzo stated that the existing SLA zoning permitted hotels, residential uses (unqualified), restaurants, tourist related retail, parking garages, at-grade lots, moped rentals and small car rental establishments associated with hotels. He explained there was no minimum lot size, and the maximum density was 48 units per acre residential and 90 units per acre for hotels. He stated the maximum height was 120', and yard requirements were 20' for the front, 10' side and 20' rear yards. He advised the maximum building length and width 200', and the same parking regulations with no ability to eliminate or reduce for cost.

### Overlay District Definition

Paul Costanzo stated that an “overlay district” was a special zoning district that was superimposed over conventional districts already in place in a municipality. He explained that it modified the underlying conventional district in some manner, shape or form which could be used to conserve resources or facilitate a desired development. He explained they did not have to follow parcel line or district lines, and could follow anything the municipality wanted. In reality, he stated it was used to conserve resources and depended on what the overlay district was designed to address. He explained that they both imposed more or less stringent or even additional conditions to the underlying zone, and could provide incentives or waivers to some of the underlying conditions. He stated it was a very flexible tool.

Paul Costanzo further stated that it could not address building code regulations in any way.

### Historic District Definition

Paul Costanzo stated that a historic district was a zoning district that could either be conventional or overlay and was designed to preserve a building or area’s historic character. He explained it could apply to buildings, structures, sites or objects, and could be of local, State or National significance. He added it could also be at a local, State or National level of recognition. He explained it could be a locally designated district or a National Register District.

### National Register District

Paul Costanzo stated that a National Register District preserved districts, sites, buildings and objects that had American History, architecture, archaeology, engineering or other cultural significance to the National level, and not necessarily the local level. He stated there was no local zoning regulations involved in a National Register Historic District, nor was there a local concurrence needed for a National Register District or designation.

Paul Costanzo explained that design and review for projects was done by the State Office of Historic Preservation and the National Park Services. He explained further that the only time it occurred was when Federal or State monies were being utilized as part of the project. He reiterated that it was not a given unless using such monies. He stated when design review did occur, it would utilize the US Secretary of the Interior Standards for Rehabilitation which provided for relaxing of building codes.

### Local Designation District

Paul Costanzo stated that a local designated district preserved buildings or areas which

had significance at a local level and did not involve the State or Federal Government. He added that no State or Federal concurrence was required, and design review was done by a Historic Preservation Board. He stated that there could be local design guidelines developed in addition to the US Secretary Interior Standards. He stated this could provide some building code relief.

### Conservation Districts

Paul Costanzo stated that overlay districts were like an umbrella so there could be an overlay district, which was a conservation district or a historic district (nationally or locally). He explained that the highest generic term was overlay district, and conservation was the next level of a generic term.

Paul Costanzo further stated that a conservation district was the generic term for a zoning district that protected or conserved an important resource or a distinctive neighborhood character. He stated it could be a conventional district which meant it was grounded, or it could be an overlay district meaning that it floated over a specific area and had underlying regulations underneath it. He added that it could include design standards and a specific and special review process depending on the purpose for the district. He explained they could not provide building code relief. He stated further that this district could be resource related or neighborhood related.

Paul Costanzo explained that neighborhood conservation districts were designed to protect a neighborhood's distinctive character and atmosphere, and were tailored to a specific neighborhood. He stated it was not generic at that level and was neighborhood specific, including items such as building scale, bulk, specific uses, signage, additions, alterations, and style. He explained it would include whatever the local property owners deemed to be of significance for protection. He stated that design review was normally done administratively because the property owners had been able to establish what they wanted to protect, how they wanted it protected, and what the standards were. He added that normally this was a simple review done by staff.

### Difference between Historic and Conservation Districts

Paul Costanzo stated that historic districts were more complex and more restrictive, and neighborhood conservation districts could apply to a broader range of neighborhood types. He stated further that design guidelines in neighborhood conservation districts were specific and more generic in State or Federal historic districts. He explained that historic districts focused on the historic nature of buildings, sites and areas, whereas neighborhood conservation districts addressed any neighborhood related issues desired.

### Building Codes

Paul Costanzo stated that the Florida Building Code and the Florida Accessibility Code

were the codes which governed all building additions, renovations and repairs in the State of Florida and the City of Fort Lauderdale. He stated that relief from the ADA requirements could be received for unfeasible conditions designed to a building or disproportionate costs. Technically, unfeasible meant that as part of the renovation a structural portion of the building would have to be eliminated that would lessen the structural integrity of the building. He explained that disproportionate costs meant that if more than 20% of the cost of the renovation had to go to meet ADA requirements. He stated that buildings had to comply with building codes in various circumstances, and one was if a change in occupancy class occurred, if an addition of greater than 25% of the existing structure was proposed, if there were structural repairs and alterations exceeding 25% of the replacement value of the building, and if there were non-structural repairs and alterations that exceeded 50% of the replacement cost of the building. In all those instances if any of the thresholds were reached, then the entire building had to comply with the existing code.

Paul Costanzo added that the building official had some discretion in regard to the thresholds, specifically in cases where the official could determine if the intent of the Code had been met when looking at a change in occupancy. He stated there was also discretion used when establishing the replacement cost of a building.

Paul Costanzo continued that he had mentioned there was some relief for qualified historic buildings, and that was if the official judged that the structure was safe for human habitation. However, in such instances the buildings had to still meet the US Secretary of Interior Standards which was probably more stringent.

Paul Costanzo further stated that they had identified some impediments in regard to improving property and redevelopment in the NBRA and the SLA. He stated they did not feel that the existing building environment was not being recognized in those 2 areas. He added that past policies had focused on new development versus retention, infill and redevelopment. He stated that had led to yard, signage, landscaping and parking requirements which tended to not recognize the existing buildings in their present situations. He stated they focused on more of what the City wanted to see if a new development came in at a specific location.

Paul Costanzo explained that total compliance was also a problem, and was kicked-off in non-conforming uses and building situations when a proposed replacement exceeded 50% of the replacement value, or exceeded 50% of the gross floor area. He further stated they also felt they needed further validation of what they had found before proceeding into the next phase. He explained they pulled together what they thought was a representative sample of property owners in the NBRA and SLA areas and explained what they wanted to accomplish, and then asked them what they felt were impediments to improving their buildings and area. He stated that some of the topics mentioned were as follows:

1. A slow and laborious plan approval process.

2. The inability to obtain definitive answers concerning plan approval and ULDR questions in a timely fashion.
3. Staff should be more empowered to make judgments and decisions and be able to find more "gray" in a very black and white environment.
4. The City should reexamine the 9 p.m. public metered parking prohibition that was in various locations in the areas.
5. Parking enforcement should be more sensitive and customer and tourist friendly.
6. A small jitney type of service be installed for Beach travel.
7. Need for additional signage along I-95 to identify the Sunrise Exit versus the Oakland Park Exit.

Paul Costanzo stated that staff's recommendations were to initiate the drafting of an overlay district for both the NBRA and SLA areas. He stated they also wanted to address the following:

1. Yard requirements.
2. Signage standards.
3. Landscaping requirements.
4. Parking requirements.
5. Non-conforming use and building standards.
6. Allowable uses.
7. A plan approval process.

Paul Costanzo stated the recommendations were focused on trying to allow them to recognize what the built environment was, and to allow for the plan approval process to be smoother and quicker.

Chair Ina Lee thanked Paul Costanzo for a very thorough and well done presentation.

Mel Rubenstein stated that the presentation and report was excellent. He stated that he felt the directions suggested were long over due, and that they needed to move on them quickly.

He asked for confirmation that the overlay district could not address building codes. Mr. Costanzo confirmed.

Mr. Rubenstein also wanted it clarified that there would be no building code relief in a conservation district. Mr. Costanzo confirmed and stated that the only relief from the building code would be if the structure was declared historic at the local, Federal or State level. In such instances, there was some relaxation of the Code, but in place of the local Code, they would then have to meet the requirements of the Federal US Secretary of the Interior Standards which were much more stringent. He clarified that zoning changes could be modified and that was the direction staff wanted to take.

Chair Ina Lee asked what would be a typical building code that could not be changed. John Smith stated they could not change the building code which stated that 140 mph wind speeds had to be met for windows or any life safety issues which saved lives or protected the health and welfare of the public.

Linda Gill asked if notices had been sent to all property owners in both districts. Paul Costanzo replied that all owners had not been notified. He stated that the 18 consisted of property owners he felt represented building types and uses. Ms. Gill asked if any of the small hotel owners had been notified. Mr. Costanzo stated they were not, but added that the owner of Villa Venice had been present. Ms. Gill remarked that the small hotel owners were a huge segment of those properties.

Linda Gill clarified that they were looking at a conservation district. Mr. Costanzo replied they were looking at an overlay district. He stated they would not call it a conservation district because it would not include any type of architectural controls. Ms. Gill asked if some of the buildings were to be designated historical. Mr. Costanzo stated that they were not trying to take that step at this point in time. He explained that before a conservation or locally historic designated district could be contemplated in either area, the first step would involve doing a historic building survey in order to identify which buildings would qualify. He stated they did not have the capacity to do that and normally such work was done by a consultant. He stated that David Carr, Consultant, had done the City's surveys of that nature. He further stated that if the Board and the Commission wanted to take the additional step over and above the creation of an overlay district, this Board could make such a recommendation. He explained it could move simultaneously, but yet independently, of the overlay district.

Ms. Gill stated that many of the people hearing this presentation today were hearing it for the first time. She felt it was quite detailed and hard to understand. She asked if there could be more of a public meeting with the property owners so they could understand what was being proposed.

Chuck Adams stated that today's presentation was to give a feeling of what the various forms of an overlay district could be. He stated they wanted to clarify that these types of districts would not address in any significant fashion the building codes. He stated that their recommendation was to have staff continue to proceed and develop criteria. He added there would be plenty of opportunity for input to be provided by everyone involved. He stated that they wanted to clarify that any review for historic buildings or areas beyond the scope of this year's work plan would be a larger City issue.

Ms. Gill stated that notices needed to be sent to the property owners. Paul Costanzo stated they had a list of all property owners in both areas and he would invite them to attend.

Judith Scher asked who would determine the size of the buildings in the areas. Paul Costanzo stated that the overlay district process would be drafted and input would be



received from property owners, this Board, City Commission, the Planning and Zoning Board, and ultimately it would be adopted as proposed or changed. He stated that usually the neighborhood had substantial input because it was their area and properties affected. He stated that rarely would an additional board be created to do additional reviews inside such districts. He reiterated there would be a public hearing. He continued that he had misunderstood Ms. Scher's question and asked if she was referring to a planning approval process. Ms. Scher confirmed. Paul Costanzo stated that it would depend on how the district was written and how it was approved. He stated that possibly the approval would come from the Planning and Zoning Board, along with the Commission, or it might only be the Planning and Zoning Board or staff.

Chuck Adams reiterated that the overlay district was to address the preservation of existing uses. He felt Ms. Scher was asking about something applying towards new development. He stated if the owners were proposing a floor addition, it would probably trigger the standards which force new construction and were not part of the overlay district, but part of the new code. He reiterated further that this was addressing more flexibility and the existing zoning in order to allow the owners to preserve the existing uses without having to comply with new development standards from a zoning perspective.

Steve Glassman thanked Paul Costanzo for the report. He asked if they could be provided a list of the 18 people that had been invited and who had attended the meeting. He stated that there were significant properties outside of the area in the NBRA, and he felt they should look at broadening the area. He stated that the boundary line was interesting because it went between Birch and The Breakers. He added there was significant architecture south of the line and west along the Intracoastal. Paul Costanzo stated that the area could be broadened. Mr. Glassman suggested that possibly they might consider broadening the area to include the entire Central Beach District.

Mr. Glassman stated that it was important to update the surveys and remarked that he believed that a few months ago a consultant had done such work in the City. Paul Costanzo advised that David Carr, Consultant had done the "blue sheets" or local surveys, but he had not done anything north of the southernmost portion of Bayshore. Mr. Glassman added that it was a good first step to update the surveys. He felt it was important to forge a partnership with the Broward County Historical Commission and the Broward Trust for Historic Preservation. He felt these groups would assist in helping to identify which properties were important for the fabric of the City's history in terms of preservation and architecture. He felt whatever was decided, there needed to be some abatement program provided to the property owners. He reiterated that some sort of incentive needed to be provided to the property owners to show that the City was committed to preserving their history.

Mel Rubenstein stated that he had heard a proposal that they were going to proceed with an overlay district given the 4 choices. Paul Costanzo confirmed and reiterated that

was the capability they had in-house so they could proceed forward. Mr. Rubenstein asked out of the conservation district and the overlay district, which would provide greater protection of preserving and maintaining the NBRA and the SLA areas. Paul Costanzo replied that it would be the overlay district that would provide more protection. He explained that the added piece the conservation district could provide was an historic designation, which could bring in some architectural protection. Mr. Rubenstein stated that he did not want them to be like North Miami, he wanted to preserve what existed before it was too late, and asked what would give the most protection to the owners of the smaller properties. Paul Costanzo stated that the most expeditious one that they could presently bring forward would be the overlay district, and added that additional items could always be attached to it. Mr. Rubenstein asked what the next step was. Paul Costanzo stated they would begin drafting, and then it would be brought back before this Board for recommendation, and then on to Planning and Zoning and the City Commission.

Mel Rubenstein stated that one of the problems was that the Central Beach was divided into distinct areas as if each one did not have any impact on the other. He suggested that the residents who lived outside and around the area as well be invited to the meeting being proposed. He believed that everyone was being impacted.

Chair Ina Lee clarified that the most flexibility would be provided by the overlay district, and asked if they could consider letting individuals have outdoor cafes later on. Paul Costanzo confirmed. Chair Ina Lee further clarified that they could not deal with any building codes. Paul Costanzo again confirmed. Chair Ina Lee clarified they needed to discuss whether preserving a particular look or allowing flexibility with that look would be determined in the workshop, and asked if the item would then be forwarded to the City Commission. Paul Costanzo stated the answer was yes and no, and stated that before that part of any eventual district could even be contemplated, they would need a consultant to do an area-wide survey of all buildings to see which would qualify for historic designation. Chair Ina Lee asked what if individuals did not want that, but wanted more flexibility to build or sell. Paul Costanzo explained that it would go no further than what was being proposed. He stated that once it was adopted, there would be no additional add-ons to the language down the road. He stated they could deal with everything in-house that the residents and this Board had discussed.

Ian Creese, Palm Plaza Resort, stated that he could see how the overlay district would benefit him because he had bought an old building which needed renovation, but asked what if he wanted to demolish the structure and build something completely in agreement with the current zoning and code. Paul Costanzo explained that the existing zoning would govern what could be built, and reiterated that there were compatibility standards built into the existing zoning ordinance which had to be met, but the overlay district would not address that issue.

Richard Gray, The Royal Palms, stated that they had created the Rainbow Alliance on the Beach. He stated that his first reaction to what was being presented was negative,

and he felt it was a lot of information to digest at one time. He further stated that as a small business owner, he had invested a lot of money in his property, and the group had invested in marketing and promoting the City. He reiterated that he did not like the idea of being told what to do. He stated that he would prefer the City to focus on the parking problem.

Paul Costanzo stated they were not doing that and possibly he didn't explain things well enough. Mr. Gray explained that many individuals invested in their properties for their retirement, and he felt they should have the choice of who to sell their properties to if they desired. He felt there were conflicts of interest in regard to some of the individuals on the Board because they were speaking about designation of areas and buildings, while they lived in towering condominiums.

Linda Gill stated that many people did not have the chance to read and digest this information, and reiterated that she would be happy to host a meeting at her hotel and invite all the property owners to meet. She reiterated that she had reviewed the information, and still did not understand the entire concept. She felt there were many questions and possibly some arose from fear of the unknown. She felt an open forum would be helpful to examine and discuss the information being presented.

Mike Grimmé, property owner, stated that he had to sell some of his properties because it was hard to invest monies and maintain the properties. He stated there were 328 property owners in the area and to approach only 18 for opinions was not an accurate picture of the situation. He asked if this information could be put "on-line" and provide the survey results also. He reiterated that there was a big difference between a condominium owner on the Beach, and an individual who owned investment properties and worked hard every day to keep their businesses running. He suggested that more people be involved in the discussions.

Roger Handevidt, Oron Terrace, stated that he had been there for 24 years, and stated he had been a member of this Board in the past. He added that he had sat in on many charrettes over the years, and nothing ever got done. In the past, he stated it had not been safe to walk on the Beach, and the property owners had changed all that and revitalized the Beach. He stated that some people benefited from the redevelopment and lived in the condominiums, and now they wanted to have things brought to a halt because they felt traffic had increased. He added they were also concerned that new development could block their views. He explained that was not the purpose of beach redevelopment, rather it was about tourism, as well as making it a nice place to live. He stated that people living in the condominiums were now trying to make the decisions regarding redevelopment, and they had nothing to do with the businesses in the area and had no investment in the neighborhood.

Mr. Handevidt continued that the ULI had been brought back to the City to figure out how the redevelopment could be done. He remarked that they had interviewed over 300 people on and off the Beach, and had put together their recommendations. He stated

that the report had received standing ovations. He stated that the City was given a "medicine ball" to run with, but they did not have time to drop it. He further stated that not only did the City drop it, but also they tried to bounce it. He stated they missed the window of opportunity and things regressed. He stated that now things were finally happening, and now some people wanted to bring it to a halt. He stated that he did not understand why.

Mr. Handevitdt stated that the people who wanted to change the NBRA area were not aware of what a struggle it was to be in business on the Beach. He stated that many of the small businesses were gone, and some only opened for annual business. He stated that today dealing in the tourism business was very hard and expensive. He stated that the RCLJA properties spent about \$30,000 per year in promoting their business. He stated there were 30 such properties, and 15 of those were located on the Beach. He believed the property values would stay the same or go down because individuals would not be able to keep up with the costs. He asked who had initiated the idea of interviewing the 18 people. He stated that he could guarantee that the business owners in the area had not initiated the idea. He felt if the City could not keep their police and fire departments going, then they should stop this plan immediately.

Chuck Adams stated that he needed to inform everyone of some of the recent history regarding this matter. He stated they were present today as a follow-up to the ULI recommendations from last year. One of the recommendations specifically focused on the NBRA and SLA areas, but it had not left out the possibility of including other areas, was to review the existing zoning regulations and determine how flexibility could be provided to help the property owners preserve their existing buildings and their investments without having to comply to the zoning regulations that would force new development. Staff's response was that they would work on the overlay district, and see if they could create language that would help the existing property owners. He explained that the overlay district as being recommended was not a tool that would hurt the existing property owners, but one that would give them the option to preserve the uses and not be forced to comply to the new development standards, if that was what the owners desired. He further stated that if they wanted to go to another use, the existing zoning would prevail, and that option was available also. He reiterated that this proposal was not taking anything away. In the last several months, discussions had occurred regarding other types of districts, including conservation and historic. He explained that staff's recommendation was perceived on what they initially had agreed to look at which was the overlay district and it would benefit everyone. He stated they would be agreeable to holding another public information to discuss the matter. He explained further that they had not done anything but attempt to get the information out as to what tools were available.

Paul Costanzo stated that the term which might be throwing everyone off was "preserve." He gave the following example. He stated if someone wanted to add an addition to their property in order to bring in additional funds, today's zoning requirements would have to be complied with and could prevent someone from building

such an addition. He further stated to them preserve meant to eliminate road blocks to allow someone to preserve their building by making improvements that would strengthen their income.

Brad Fitzgerald stated that he was instrumental in bringing this matter up also because there was a problem where property owners would not pull permits because then their entire property would have to meet Code requirements. He stated that some opinions had been given regarding historical designation, but he felt it was not the entire Board's reflection and only opinions of a few members. He stated this overlay district was being done to help the existing property owners.

Jim Durham, The Worthington Guest House, stated that it was stated that the overlay district would be the first step and things could be added, and he felt that was a scary statement to be made.

Steve Glassman stated that these were goals outlined by the District Commissioners, and Board members selected by those Commissioners were attempting to follow through with such goals. He stated that this was not an "enemy" situation, but one where individuals were attempting to work together. He stated that he was not a Board member representing himself, but many people who were interested in the public good and what these properties meant to the legacy of the City. He felt the property owners should be congratulated on what they had achieved. He stated this was not a taking. He stated that historic preservation did mean no redevelopment, and they were not mutually exclusive philosophies. He stated the arguments being made today were heard previously when South Beach wanted to preserve an entire art deco district. He felt that preservation was similar to their concentration of 50's and 60's mid-century modern architecture, and he did not feel it was a matter of where people lived. He stated that they had to begin recognizing what such buildings meant to the fabric of what this City once had been.

Mr. Glassman further stated that that the ULI had been very specific in identifying the importance of maintaining historic preservation of the Beach. He stated this should not be looked at as an "antagonistic" situation. He stated he would not be interested in seeing any of these things going forward if it would hurt the property owners in any way or they would feel "handcuffed" by any policies being proposed. He stated that the City needed to move forward regarding 2 mutual goals. Those goals were preserving what existed on the Beach, and at the same time providing financial incentives for property owners do that and desired to do it. He felt this was an educational process and they were just beginning. He reiterated this should not be a personal attack on anyone or say that the City was heading in the wrong direction. He emphasized they were here to make sure this would work for both parties.

Chair Ina Lee clarified that there would be another public forum held for the business owners and the proposed information would be distributed to them. She asked if staff could address the additional concerns that had been raised at today's meeting at the

forum.

Mel Rubenstein added that the people who lived in the surrounding areas should be included.

Linda Gill recommended that the property owners meet with staff to review the material, and then a public meeting could be held. She reiterated that her offer was in regard to the property owners.

Chuck Adams asked if the property owners present had supplied their current mailing addresses so the information could be sent out to them. The property owners confirmed.

Chair Ina Lee asked what date was being proposed for such a meeting. She stated this Board's next meeting was scheduled for July 19, 2004. It was decided the meeting with the property owners would be tentatively scheduled for July 14, 2004 at 3:00 p.m.

Judy Scher stated that the Beach residents had an equal stake in this because they lived there, and she felt they should also be invited to the meeting to hear what was being proposed. Linda Gill reiterated that these properties were the owners' financial futures and they needed to have a voice in this proposal, and reiterated that they needed to understand it. She stated that other people could come and listen, but she wanted these property owners to be able to understand the benefits of what was being proposed. It was stated that some of the property owners lived in their hotels and were homeowners also. Linda Gill stated she found it hard to accept when someone moved into a condominium and lived there for 2 years, and stated they had a major stake on the Beach. She reiterated that some of these property owners had been there for a very long time investing in their properties.

Chair Ina Lee stated further that this would be a lengthy process and everyone would have an opportunity to provide his or her input. She felt that the property owners should read this material in an attempt to understand it better, and then there would be meetings to discuss it. She stated that tentatively a meeting was scheduled for July 14, 2004 at 3:00 p.m. at the Yankee Trader. After availability of rooms was checked, the property owners would be notified regarding the meeting.

#### **PRESENTATION - CENTRAL BEACH STREETSCAPE PROGRAM/PRELIMINARY SCHEMATIC DESIGN PLAN**

Chuck Adams advised that they had fallen behind schedule regarding the work plan for this project, and they were attempting to catch up. He stated their goal was to have the final schematic plan before the City Commission before the end of the fiscal year. He stated this plan still had some areas which were under detailed engineering review. He further stated they did not want to present a schematic plan that could not be constructed. He continued stating that they were confident that the areas which might

require refinements and adjustments would be done, but the locations were what they were trying to address. He stated that Paul Kissinger, EDSA would point out significant areas where they were focusing on such review.

Paul Kissinger, EDSA, stated that he was going to provide some background as to the status of the conceptual master plan and the design initiatives which had been developed. He stated he was going to present the preliminary schematic design that had been distributed to the Board. He advised that at the end of his presentation he was going to speak about the concept of a world-class destination resort, the ULI districts, and some of their recommendations regarding districting. Then, he stated they would discuss the next steps that would be required.

### Planning Outline

Paul Kissinger stated that the final Master Plan had been approved November 5, 2002, and the process was a collection of basic information, site inventory and analysis, development of the preliminary master plan, and its final adoption. He continued stating that the overriding concern they had during the master plan report was that there was a tremendous amount of asphalt on the Beach and people were parking anywhere possible. He stated that the largely asphalted roads created a freeway effect.

### Development of Design Initiatives

Paul Kissinger further stated they had developed design initiatives to address the streetscape to stay within the right-of-way, and looking at gateways, entrances, street trees, median treatments with landscape and/or parking, intersection treatments, access to the water with Intracoastal overlooks for public civic open space, one-way traffic with angled parking and landscape improvements, site furnishings, and any place where parks and plazas could be placed. He stated they were attempting to create a parkway feel and special paving with a turn lane on A1A.

Paul Kissinger continued stating that they had developed a series of conceptual diagrams as a palate of improvements that could be done. He proceeded to show such diagrams. He then proceeded to show the final Master Plan. He reiterated that this had nothing to do with zoning or land use, but was more of a planning tool.

### CBA

Paul Kissinger stated that the Central Beach Area encompassed the CRA and the Intracoastal Waterway which had a variety of uses.

### North Beach Residential District

Paul Kissinger stated another area was the North Beach Residential District which looked and felt similar. He remarked that the area was changing since the master plan

had begun. He stated that the district to the north could be subdivided into other areas. He explained that was done for planning and design purposes so as to organize cost estimates for such improvements. He stated there were a variety of numbers developed through the master plan which corresponded to the initial improvements.

### Schematic Design

Paul Kissinger explained that the preliminary schematic plan that was put together then took each design initiative and applied it to the existing condition in a schematic nature. He stated further that by a schematic nature, they felt confident they could achieve the improvements that were illustrated. He advised there were some permitting issues regarding a gateway at Sunrise Boulevard because the City did not own all the land and other jurisdictions were involved, such as DOT, Department of Natural Resources, and Environmental Protection. He stated there was precedent in many cases, and they would be able to refine things in detail design. He explained that the preliminary master plan had taken a first cut at the detail, the final master plan took a second cut at detail, and the schematic design took another cut at it. He stated that after the schematic design, they would proceed into detail design which would be actual improvements to be made.

Paul Kissinger stated there were some similar improvements. He proceeded to describe some of the improvements. The first area was the Sunrise Gateway area and he proceeded to review the district. He stated they were looking to install landscaping in the median and creating a consistent landscape median on the edge of the right-of-way, and celebrating the intersection with some sort of paving material and reconfiguring NE 9<sup>th</sup> Court. He stated they had generally looked at site triangles and the consistency of landscaping the medians, and as they proceeded to the next level of design those would be refined. Generally, they felt they could achieve an enhanced landscape treatment along Sunrise Boulevard.

Paul Kissinger further stated that in all cases they were not changing the roadway configurations or lane widths, and were dealing with the public realm. He stated that at the end of the presentation he would discuss the various locations for gateways.

Paul Kissinger stated that in addition to Sunrise Boulevard was the Sunrise Portal which was further east on the Beach. They felt it was important to create this portal at the end of Sunrise. He stated this was an area where they had to deal with the State and the Department of Environmental Protection. He reiterated there was some consistency with what had been done on Las Olas. He explained that Sunrise Boulevard went from the Everglades to the Beach, and they thought as a northern anchor to the Beach that the street-end should be celebrated and clean-up the area and have wider sidewalks, while still being consistent with landscape improvements. He further advised that Tim Schiavone and David Murray and their business district had looked at improvements in the neighborhood district, and in creating outdoor cafes and cleaning up the image of the neighborhood. He stated they had worked in a pro bono capacity to help that



neighborhood over the last 2-3 years. He stated these improvements reflected concurrence of removing some back-out parking and replacing it with parallel parking at the behest of the business district.

#### Birch Road Alignment

Paul Kissinger proceeded to show diagrams of the Birch Road alignment. He stated that Keith & Schnars had been involved in this work which included roundabouts and median plantings. He stated they were recommending making some changes at the cross streets to include median plantings and crosswalks. He felt there were opportunities in the area based on the existing right-of-way to install these improvements. He explained that such improvements broke down the visual corridor. He proceeded to show the Vistamar area. He stated that from a community standpoint some of the illegal parking in the swales could be removed. He felt there could be a compromise in some areas by replacing that parking with parallel parking. He advised there was a lot of asphalt in the area, and they felt there were opportunities to include special paving with various materials which would slow down traffic, along with the installation of landscaping. He reiterated that no plantings would be included that would prohibit views along the roadways.

Paul Kissinger proceeded to show a more detailed diagram of the angled parking in the medians and explained it was a reflection of what already existed at the Beach, and how it could tie into the roundabouts being proposed by Keith & Schnars, including crosswalks and continuation of the medians. He stated that this could make a tremendous difference on the streetscape at the Beach. He advised they were looking at angled parking on various streets. He stated they did not yet have the number of spaces that would be proposed.

Paul Kissinger further stated they felt it was important to provide public access to the water and public civic space. He stated one way to do that was to provide Intracoastal overlooks. He stated these were projects which could be started quickly to show that improvements were being made. He explained the intent was to dress up the street ends. In some cases, he stated there were some paved swale areas where people were parking, which included both back-out and parallel parking. He stated they had made some recommendations at the schematic level to remove the back-out parking.

Paul Kissinger proceeded to show diagrams of Las Olas Boulevard and Seabreeze. He explained that certain parcels of land were currently owned by the City, and they felt certain portions could be used as a secondary gateway. He stated other areas created opportunities for public open space, landscape improvements, and a trolley stop.

#### Seabreeze and A-1-A Alignment and 17<sup>th</sup> Avenue and A-1-A

Paul Kissinger stated that the Seabreeze and A-1-A alignment had been worked on by Keith & Schnars. He proceeded to explain the reconfiguration being proposed. He

advised there might be opportunities for secondary signage elements in certain areas. He explained their intent was to have signage elements at either end of the Central Beach Area. He stated if one went down to the end of Mayan Drive, there could be an opportunity for a signage element which would be the southern gateway sign. Due to DOT requirements, he explained they could only look at the turn lane and possibly change the texture of it. He stated they had looked at putting in a boulevard, but they could not get a U-turn to work in the area. Paul Kissinger proceeded to show a diagram of 17<sup>th</sup> Avenue and A-1-A.

### Primary Gateways

Paul Kissinger advised there were 2 areas they were looking at for primary gateways which were to the north and to the south. He proceeded to show various diagrams. He stated they felt the branding of the Beach included the wave wall, the columns, and the shell wrap. He stated they thought it was a natural to use the existing brandings in the gateways. He stated they wanted to build upon those items and proceeded to show some renderings.

### Other Elements of Primary Gateways

Paul Kissinger stated that they needed to deal with the end of Sunrise because now the Beach stopped shy of Sunrise, and they wanted to extend the wave wall down to encompass Sunrise as a transition to the work done by DOT. They felt it would conclude that edge of the Beach. He reiterated that they were looking at the median as one came over the bridge.

### Secondary Gateways

Paul Kissinger further stated that there were opportunities for secondary gateways at the Sebastian lot, and the A-1-A Seabreeze split which could be limited, along with Las Olas. He proceeded to show diagrams of the areas. He explained they would be smaller in scale but still carry the brandings of the Beach. He stated this was actually the central core of the Beach, but they felt they would be reinforcing the brand of a world-class destination beach resort. He further stated that it would not preclude the different types of uses that were out there.

### Way Finding Concepts

Paul Kissinger continued stating that they felt the brand on the Beach as a world-class destination resort was being stated by residents and tourists. He stated that instead of separating it into districts, they wanted to look at way finding concepts. He further stated that kiosks could reinforce the brand and they had reviewed 3 different concepts that would direct people to different areas of interest on the Beach, as opposed to the Marina District. He stated they could be located throughout the Beach at strategic

areas, and could become a point where a jitney could be rode to the area.

### Signage

Paul Kissinger stated that one of the cities to the north had decorative poles on their STOP signs. He remarked that was a simple unifying element. He proceeded to show examples of decorative signs and poles. He added that continuant banners were another type to be considered.

### ULI

Paul Kissinger continued stating that the ULI had recommended various districts based on a 1200' radius circle, which was similar to the master plan process. He proceeded to show diagrams of the districts recommended. He further stated that they felt it was difficult to name the districts unless they were named for things that had nothing to do with the land use. He added that would not necessarily unify the Beach. After various discussions, they felt that would dilute the simplicity of the world-class destination beach resort. He stated a logo was never changed or modified because it was a brand. He stated the City had a unique element which was the Beach and they were promoting it.

### Summary

Paul Kissinger stated that they recommended that the Beach not be subdivided into districts, and that they should build on the existing brand, and utilize the icon of the wave wall. Other suggestions were to develop a series of way finding systems on the Beach using the kiosks, and use the wave wall for primary and secondary gateway signs. He reiterated that this was a preliminary schematic design which was still under review with the City.

### Next Steps

Paul Kissinger stated that the next steps were to have an internal review, develop cost estimates in more detail, receive comments from everyone involved, and present this to the City Commission by the end of July.

Mel Rubenstein commended the EDSA for the wonderful job they had done and for clarification on when this would go before Commission.

Chuck Adams clarified that there was still a lot of internal review taking place, and explained the best case scenario was July, and the worst case scenario would be September.

Mel Rubenstein stated that he felt this was long over due. He proceeded to ask about the timetable involved if the Commission approved this and provided the funding. Paul Kissinger replied that they wanted to present the final plan in July because it would

provide the direction for the detail design. Typically, he stated this could be a year into design, the City would then put it out for bid, and then construction. He explained construction could take up to 12 months. He further stated that it would depend on what was being built. Mel Rubenstein stated that one of the items that should be emphasized to the City Commission was that the landscaping should be maintained.

Linda Gill asked where the funds for this project were coming from. Chuck Adams stated that the funding, as it related to improvements outside of the CRA area which included anything north of Alhambra or south of Bahia Mar and South Beach, would be dependent on the City proceeding with the 3 + 2 modification. He stated that in order to address the issue that the monies could not be spent for projects outside of the CRA boundary, they had earlier identified that as an eligible tax increment funded project, the City could use such funds for traffic improvements. Such improvements were currently funded by a grant provided by the FDOT. He explained they were proposing to fund with tax increment dollars the improvements for the project, and when the grants were reimbursed, the Commission could then reallocate the funds to address the streetscape improvements north and south. He further stated that now they could only do what was included in the CRA area which was about \$2 Million to \$2.5 Million. Linda Gill asked about the status of the traffic plans.

Dennis Girisgen, Engineering, explained that they were currently re-doing the design to avoid D.C. Alexander Park because they had run into some legal issues which required a re-routing. He stated they were looking at some detail design work, and then he was confident they could proceed with the right-of-way acquisition.

Linda Gill asked where the funding was coming from. Mr. Girisgen stated that it would be funded entirely by FDOT State monies, and the District Secretary had told them they had about \$15.4 Million, some of which had been used. He explained that the CRA could fund the project, and when the reimbursement monies were received they could use it outside of those boundaries. Linda Gill asked about the property that the City had to take. Mr. Girisgen replied it included such property, and they had estimated about \$1 Million for the right-of-way acquisition. He stated they were not taking huge chunks of property, and most of it was City-owned. Linda Gill asked if this had been presented to the new Commission. Mr. Girisgen replied it had not yet been taken before the City Commission since this issue was pending. He stated they were hoping to present it in the Fall.

Chair Ina Lee reiterated that this Board needed to attend that meeting.

Chuck Adams encouraged that this be taken to the Commission in September, along with the streetscape plan so they could see how they would work in tandem with each other. He stated that personally he felt vulnerable trying to recommend a huge outlay of next year's budget monies for this project, which was what he had to do, if there was no concurrence and conceptual approval for the 3 + 2 plan. He felt it made sense to present both concepts to the Commission at the same time. He explained that some

obstacles which Dennis Girisgen had to deal with and had overcome were that based on consulting work done a few years ago in estimating the costs of the acquisitions related to the alignment, he had been given the best case scenario of \$11 Million for the eminent domain work. Later, he was given a worst case scenario of about \$23 Million. He felt if the costs exceeded the budget by \$2 Million to \$3 Million, they could make it up with tax increment funds, but trying to make up \$11 Million would be impossible. He explained it was critical to refine the issues relating to this price range, which had been done. Dennis Girisgen was now necessitating a redesign, and then they would be placed on the Commission's agenda.

Steve Glassman thanked staff and thought this was a good plan. He asked about the status of the work identified at Commissioner Trantalis' birthday party.

Paul Kissinger stated they had met with the Commissioner, but they were attempting to get this process done. He stated that after this meeting, he was going to meet again with the Commissioner, and some items of concern to be discussed had been irrigation, parking, and in-kind services regarding construction.

Chuck Adams further stated that project was separate from the streetscape plan. Steve Glassman further stated that other concerns of his were that Cortez and Seabreeze and Poinsettia and Seabreeze were very dangerous. He felt people were confused when they got to those areas, and suggested that signage and additional lights could possibly be installed. He asked if the 3 medians could be landscaped.

Linda Gill asked if they could proceed with some of the improvements. Chuck Adams replied that they could do the improvements in the CRA, especially the ones not road right-of-way related. He stated that if they did that, they would pay for it in terms of the cost of design and they would lose the economy of scale. He recommended that they proceed with the full design of the entire plan and receive consensus of the Commission. He stated that part of the internal review discussions were involving how to move forward to the next level. Linda Gill remarked that she liked the entranceways.

Kathy Connor, Parks and Recreation, stated that they had to figure out the actual costs of the maintenance portion of the project. She remarked it was hard to keep plant material growing on the Beach due to people, traffic and beach conditions.

Russell Dion, Manhattan Tower, stated that he felt it was disturbing that no mention had been made about the tremendous parking problems this plan would be creating. He stated he was in favor of beautification, but they were taking away available parking. He asked if a count had been done regarding the number of illegal parking spaces being removed. He agreed there was too much cement, but asked what would happen to the businesses in the area.

Paul Kissinger replied that they had looked at that, and their intention was not to place a hardship on the businesses that used illegal parking. He stated they were difficult to

count because they were illegal. He explained that there was parking occurring everywhere, and he understood everyone's concerns. He stated that most properties had back-out parking. He explained where they were recommending improvements were in areas such as corners and overlook parks. He stated that in areas where there was tandem parking, it was not safe. He stated just because there would be angled parking, it did not mean it had to be used for public parking. He added there might be opportunities to lease those spots back to the businesses to help provide some legal parking. He felt there was an opportunity available for a compromise.

Chair Ina Lee stated she was hearing some valid points, and more information and feed back was needed from the businesses which were being impacted.

It was stated that in most cases they were not going to be modifying road widths and making modifications to curbs. Paul Kissinger stated that they would come back with the final design and supply the number of parking spaces that could be included, along with identifying on the map where existing parking was located.

**Motion** made by Mel Rubenstein and seconded by Eileen Helfer that the Beach Redevelopment Advisory Board recommends to the City Commission that this plan be approved and put on a fast track, and that the concept, as presented, would be most beneficial to the Barrier Island. Motion unanimously adopted 7 – 0

### **OLD BUSINESS**

Chair Ina Lee stated a critical item that was important to the Beach was the wave wall and the fiber optics.

Chuck Adams stated that at this point there were commitments from several major developments, of which he did not have all their names at this time, for \$214,000 which would be matched for the project by the \$200,000 he had budgeted in the tax increment fund. He stated significant in those contributions were the two \$50,000 contributions made by Huizenga Holdings, which Brad Fitzgerald had been instrumental in obtaining. He stated that the Subcommittee at the Beach Council had been working with other developers in an attempt to raise the additional \$114,000. He advised that at the July 7, 2004 City Commission meeting the Commission would be asked to do 3 things. One was to reject the previous bid, authorize staff to revise the specifications for a new bid, and authorize acceptance of the donations which had been made. He advised there might be some concerns developing outside of the Committee regarding the wisdom and necessity of going back out for a bid, as opposed to working with the current contractor. He explained there were concerns about the current bidder, not in regard to whether they could do the work or not, but the sustainability of the company should something go wrong. He stated the recommendation was to reject and this could be an issue that was not in the forefront previously.

Chair Ina Lee stated that many meetings were held on this matter and the developers

had checked on the work. She felt it was important for the Board to support this recommendation.

Linda Gill left the meeting at approximately 5:17 p.m.

Chair Ina Lee stated that she would be on vacation and unable to attend the Commission meeting and asked if the Vice-Chair Brad Fitzgerald would attend. Brad Fitzgerald confirmed. He corrected that the contributions were not actually from Huizenga Holdings, but from Bahia Mar and Pier 66 who each had contributed \$50,000. Chuck Adams stated that he had received letters from those entities.

Chair Ina Lee stated that when they had appeared before the City Commission and were told that the Commission was not going to fund this, they needed to make it clear that the business community had made this project happen. She stated it was a partnership with the CRA and the business community and individuals stepping up to the plate.

## **NEW BUSINESS**

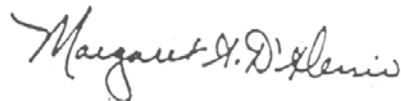
### **Lifeguard Stations**

Steve Glassman stated he was appalled at the condition of the new lifeguard stations. Brad Fitzgerald remarked that certain parts of those stations were actually rotting away. They felt this matter should be brought up to the right individuals.

Brad Fitzgerald remarked that Paul Costanzo's presentation was very good, and also felt that Paul Kissinger's presentation was very good.

There being no further business to come before this Board, the meeting was adjourned at 5:20 p.m.

Respectfully submitted,

A handwritten signature in cursive script, reading "Margaret A. D'Alessio".

Margaret A. D'Alessio,  
Recording Secretary