

**MINUTES OF THE
 BEACH REDEVELOPMENT ADVISORY BOARD MEETING
 TUESDAY, MARCH 21, 2005 – 3:00 P.M.
 CITY HALL
 CITY COMMISSION CONFERENCE ROOM - EIGHTH FLOOR
 100 NORTH ANDREWS AVENUE
 FORT LAUDERDALE, FLORIDA**

BOARD MEMBERS

	Absent/ Present	(P)	Cumulative from 2/21/05 (A)
Pamela Adams	A	0	1
Brad Fitzgerald	P	1	0
Steve Glassman	P	1	0
Eileen Helfer	A	0	1
Ina Lee	P	1	0
Al Miniaci	P	1	0
Judy Scher	P	1	0
Linda Gill	A	0	1
Henry Sniezek	P	1	0
Mel Rubinstein	P	1	0

STAFF

Paul Costanzo, CRA Project Manager/Principal Planner
 Jamie Hart, Marine Facilities Supervisor
 Peter Partington, City Engineer
 Earl Prizlee, Project Engineer
 Diana Alarcon, Assistant Parking Services Manager
 Silver Lee, Clerk II
 Patricia Smith, Secretary

GUESTS

James B. Flanigan
 Jack Nelson, Resident
 Joe Hessmann, Resident
 Greg Edwards, Resident
 Tim Schiavonne, The Parrot Lounge
 Ben Wagman, Resident
 Pete Witschen, PBMJ
 Frank Gerncet, Pro Dive
 Paul Flannigan, Quarterdeck Restaurant
 John Day, Coconuts Restaurant

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

Motion made by Steve Glassman seconded by Al Miniaci to approve the minutes of the December 13, 2004 meeting of the Beach Redevelopment Advisory Board. Board unanimously approved.

Motion made by Al Miniaci and seconded by Eileen Helfer to approve the minutes of the February 7, 2005 special meeting of the Beach Redevelopment Advisory Board. Board unanimously approved.

A-1-A/Barrier Islands Greenway Master Plan Update

Paul Costanzo introduced Mark Horowitz, Broward County Planning Department to update the Board on where the county is in the master planning process.

Mark Horowitz brought updated maps and proceeded to distribute them to the Board. He stated that the County had hired consultants to look at the opportunities and constraints throughout the corridor. He further stated that they had approximately eleven public meetings thru out the corridor to get public input from both City staff and the public and based on this input we have put together some basic ideas. A lot of ideas were brought forward from these meetings. The final version of the map was sent to the cities for their final comments and then it will be taken to the County Commissioners for their acceptance of the map and approval of a funding strategy. Basically the funding strategy at this point, which has not been approved, is that the county will put up a percentage match, to the cities that are interested in moving forward with developing the greenways. Then we move next into the design phase. The county has some artist concept drawing and these are along with comments made by the traffic consultant, members of this Board, and others in the City were starting places for such projects.

Mel Rubinstein asked for some further clarification regarding the area along A-1-A from Lauderdale-By-The-Sea to the Galt Ocean Mile through Fort Lauderdale Beach. He stated that currently there were two lanes in each direction on A-1-A, and he asked if they were going to be reduced.

Mark Horowitz stated that the current phase was putting together the master planning document which would allow them to move forward regarding the design effort. He explained that the designing encompassed all the details. He explained further that the County did not have any intentions of doing anything through the area. He stated that FDOT had to move 27,000 cars per day through that corridor, and the City did not want to reduce parking in the area. He added that the environmental groups were protecting the beach. Therefore, various conflicts arose regarding the area that had to be addressed. He explained that this would help them to obtain funding, but details still had to be "ironed out." He continued that some of the issues had been identified in the legend.

Chair Ina Lee stated that extensive studies had been done and work was in progress for the area, but she asked if they had worked with the City and were aware of what was taking place in the area. Mark Horowitz confirmed. He stated that this was up to the City, but that the County

was willing to help fund the process. He added that Hillsboro Beach would be reluctant to do anything because they did not want A-1-A identified as a scenic highway.

Steve Glassman stated that he had some concerns because he was not aware of what the City was doing in terms of the project. He stated that the bike lanes through the Central Beach Area were dangerous and too narrow, and not very functional. He added that he received e-mails from many individuals regarding the area, and comments were made that the City was not taking advantage of the monies that were available for funding. He stated that there were funds available through the Department of Transportation, Transportation Equity Act. He asked if this was to be a coordinated effort with the County. He stated they needed to find out who was actually "driving the train," as it relates to funding and where the monies were going, and what exactly does everyone want for that area.

Chair Ina Lee stated that possibly for this Board's next meeting, they should invite staff to provide a detailed update regarding the project.

Brad Fitzgerald stated that last Thursday he had met with DOT regarding 17th Street Causeway and Federal Highway, and explained that FDOT, as part of their improvement project did not intend to carry through with the City's Streetscape Plan for the area, but was going to use stamped concrete and not incorporate any bike lanes on 17th Street Causeway as the space was needed for traffic. He stated that it would be nice if the City, County and FDOT could work together to coordinate efforts so that everyone had the same plan going down the beach because our streetscape plan begins at the bottom of the bridge. He added that they had intentions of putting in two right-hand lanes going south and three lanes turning north on 17th Street. He reminded everyone that the Streetscape Plan began at the bottom of the 17th Street Causeway Bridge, and DOT's project ended at the bottom of the west end of the Bridge and that if everyone involved could work together to carry the same theme carried throughout the entire road. He further stated that FDOT is going from curb to curb and there is no additional money available.

Chair Ina Lee asked who was responsible for the "look" for the area so that everything could be coordinated.

Mark Horowitz stated that the lanes are only 10 ½ to 11 feet wide and that's why bike lanes could not be added. He stated that the next step would be regarding the design effort, and then the County would probably help try to find some funding to aid in construction. He explained that one of the issues regarding pavers was maintenance. He further stated that if the City entered into a JPA or Interlocal with the State, and that if the City would agree to maintain the pavers, maybe the State would use pavers instead of the stamped concrete. He stated that he could not be 100% sure, because he did not attend the meeting, but maintenance of the pavers is a big issue.

Chair Ina Lee thanked Mr. Horowitz for his work and the work he will be continuing. She further stated that it would be important for the Board to get accurate and up-to-date information as to what is happening with some of these issues and get the Board's input in to the City, County and FDOT as to communication within the governmental entities.

Mark Horowitz stated that Fort Lauderdale is past this phase, and that other cities were not as far along in their projects as the City of Fort Lauderdale.

Chair Ina Lee stated that she wanted to make sure that monies were not being left on the table that could be used towards such projects.

Judy Scher stated that all the parts of this issue needed to be addressed at the Board's next meeting, and then possibly they could decide what route to take.

Steve Glassman reiterated that Las Olas was also an important connector from the Beach to the Downtown.

PUBLIC SECTOR IMPROVEMENTS COST ESTIMATE: MARINA AT LAS OLAS PROJECT

Paul Flannigan, Quarter Deck stated that this project had been presented to this Board at a previous meeting. He announced that he had been working with EDSA in developing the project which involved the walk through Central Beach. He explained that after he purchased the marina and the 7-11, he went to EDSA and asked them to design a marina. He was informed that he would need 260 slips and \$500 Million. He stated that the ideas presented were a concept presented to him by EDSA for the property he purchased. He stated that Las Olas was a tremendous retail district leading into the beach area, and felt that the view from the Las Olas Bridge onto the beach should be better than anywhere else on Las Olas Boulevard.

Paul Kissinger, EDSA, stated that they had the ability to build upon the synergies of two owners to enter into a public/private venture and create a gateway to the Beach. He proceeded to show a map of the area. He added they were attempting to create a pedestrian loop system to the Beach which would encompass various sections of it, and reinforce the "people streets" in the area. He explained that in coming over the Las Olas Bridge the Beach was sort of laid out, but they wanted to bring the view corridor back up to the Bridge and create an entry statement at Seabreeze. He further explained that they wanted to reinforce the view corridor with landscaping and repeat the special paving which could extend from the parking area to the north side of Las Olas. He remarked that it would reinforce the wave pattern on the Beach, while bringing the wave wall back into focus. He further stated that the corner portion of the property, which was owned by the City, needed to have something on it such as public restrooms or a passive park that could tie in the corners.

Chair Ina Lee asked for staff's input regarding the project. She asked further if the monies were coming from the streetscape project or was this in addition to the streetscape project.

Paul Costanzo explained that this would be an enhancement to the streetscape project, but in going into next year's fiscal budget some TIF money could be redirected to pay for the additional cost of the design and the final contract, along with the construction.

Chair Ina Lee asked for further clarification as to where such funds would come from.

Paul Costanzo explained further that it would be a combination of additional TIF that was scheduled to come in that was not budgeted. Going into next fiscal year budget we could redirect some TIF monies so that we could pay for the additional cost of design in our final contract and the construction of the improvements. This would be a portion of the income realized from any of the three new hotels coming up along the beach.

Paul Costanzo continued that there was one concern regarding the streetscape project. He explained that the Parking & Fleet Department identified the continued on-going cost of

maintenance for the surface of the new parking lot at the Oceanside lot. He stated they did not want to be saddled with such maintenance.

Earl Prizlee confirmed.

Chair Ina Lee stated that you really can't see the parking lot and for the amount of money that that portion will cost wanted to know if we did not enhance that lot, what else could be done with the funds for the area.

Paul Flannigan stated that all luxury homes were using pavers due to their appearance. He remarked that this corner was the four-star jewel corner of the City and County. He remarked that he used pavers at his restaurant and he did not feel that maintenance was an issue. He added that cars would occupy less than 20% of the pavers, and he felt that festivals could be held at the site in the future. He stated that the pavers gave the impression of the area being a special place.

Mel Rubinstein asked if the corner would remain City property.

Paul Flannigan stated that Peter Partington suggested that he trade a portion of his parking lot for the residual area (City owned lot) which he proceeded to show on the map. He explained that the largest part of the construction involved acquisition. He stated he would lease the property back from the City for \$1.00 per year with a 30-day notice regarding the roadway. He then showed on the map the corner where he wanted to build a two-story building with a restaurant and public restrooms facing Las Olas.

Chair Ina Lee reminded the Board that on today's agenda they were only discussing the recommendation that their funds be used towards the public sector portion of this project. She explained that the corner portion just mentioned would have to go out for public bid as to what could be constructed at that site.

Paul Flannigan stated it would be a trade, and felt it would not need to go out for public bid, since it was a trade and he felt the entire project should be reviewed for the site. He added that he had spoken with the individual Commissioners, and they appeared to like the project, but wanted direction from this Board. He felt if things started being taken away, then it would be an entirely different project.

Paul Kissinger explained that the addition was the structure consisting of the public restrooms, and they agreed that all four corners needed to be addressed. He added that the Beach Streetscape Master Plan addressed the subject corner, but with less intensity and did not contain the additional structure.

Paul Flannigan reiterated that public bathrooms were a necessity, and stated that he felt the only way that could be done successfully was to incorporate them with another function, such as a restaurant.

Chair Ina Lee added that back-up information regarding the proposal for the subject corner had not been provided to the Board, and therefore, she did not want that discussed at today's meeting because she felt it would cloud the present issue on today's agenda.

Paul Flannigan emphasized that he felt the entire project had to be approved.

Paul Costanzo stated that the largest area of the project involved the private portion. Paul Flannigan stated that he could build the project without anyone's permission, but he felt it would be nice if everyone worked together and created a nice community.

Mel Rubinstein asked if this Board was going to vote on this project.

Chair Ina Lee explained that this Board wanted to know the cost of the public portion of the project which was the purpose of today's discussion. She reiterated they would discuss possible recommendation of approval of the CRA funds for only the public sector portion of this project. Chair Ina Lee stated that it was her understanding that today's discussion was in connection with using the CRA funds to deal with this expenditure. How much will it cost for the design so that the Board can talk about whether we will go on with the public portion of this project.

Paul Costanzo referred the Board to Exhibit 1, and stated that the design and construction costs that were in the memorandum would address the parking lot, the wave wall feature and landscaping, additional landscaping in the median, the intersection along with the crosswalks, the public corner, and a small piece of Mr. Flannigan's private land where another entrance feature would be located. He explained those were the only improvements on public property that they had cost assessments for design and construction, and could be included in the Streetscape Plan regardless of what Mr. Flannigan did on his private property. He explained what they were actually discussing was the enhancement of the Streetscape Master Plan.

Chair Ina Lee clarified that the issue before this Board involved using the funds to enhance the Streetscape project in order to incorporate the new design features.

Steve Glassman asked if back-up materials could be provided to the Board at their next meeting regarding the corner. Chair Ina Lee confirmed and stated that a presentation should be made regarding such plans.

Paul Flannigan stated that he had spent about \$15,000 previously in order to put plans together for the corner. He explained it would be a two-story building encompassing a 4,000 sq. ft. restaurant. He added that it would be the same as what had previously been presented. He suggested that this Board direct staff to review the project.

Mel Rubinstein reminded everyone that concerns were raised regarding Mr. Flannigan's project in since the sidewalks will not be opened to the public.

Henry Sniezek asked for some further clarification as to what the Board should be focusing on at this point regarding this project.

Brad Fitzgerald explained the areas of the map that the Board should be focusing on, and reiterated that the remaining portions of the project were not up for discussion.

Paul Costanzo stated that today, they were essentially looking at a Streetscape Master Plan enhancement.

Al Miniaci stated that this was a great project that should be done for the Beach and funding should be found to do it. He remarked that the area was the jewel of the City and Broward County. He hoped the property owners on the other side of the street would attempt to enhance

their area as well. He stated that he was in favor of this project.

Chair Ina Lee clarified that the aspect of the maintenance was critical. She stated that the pavers could be approved for the parking lot, but their funds were limited and maintenance could not be included. She further stated that staff was concerned where such funds would come from.

Paul Flannigan suggested that this Board recommend that the funds be spent towards this project, and let the City Commission figure out the issue of maintenance.

Chair Ina Lee reiterated that the vision of this project was spectacular, but she wanted to deal with the reality of the process so this could be accomplished.

Steve Glassman asked what amount they were talking about in terms of maintenance.

Earl Prizlee, City Project Engineer stated that a square foot cost would have to be budgeted annually.

Chair Ina Lee asked how much of the paver portion was in the parking lot.

Brad Fitzgerald stated it was \$10 per square foot, which would total about \$210,000.

Pete Witschen, PMBJ explained that the area would not have high volumes of traffic, and that this parking lot was the most profitable parking lot in the City, and hopefully these improvements will enhance that position.

Steve Glassman felt this was critical because it was a gateway and presently the area looked awful. He felt the dollar amount mentioned was a small amount and that possibly other individuals could assist in the maintenance program, such as neighboring hotels. He reiterated that the project would be a benefit to everyone in the area. He felt they needed to move forward on this, and also obtain the plans for the remaining portion of the corner. He stated that by reviewing the plans they would be able to decide whether the project would have to go out for bid, and if the proposed swap would be possible.

Motion made by Steve Glassman and seconded by Mel Rubinstein that the Beach Redevelopment Advisory Board recommend the spending of the additional funds to enhance the approved Streetscape Plan for the Las Olas/A-1-A Gateway Project.

Brad Fitzgerald stated that he felt the Board was going to have a hard time getting the City Commission to agree. He felt that everyone agreed that the pavers, the wave wall, and the landscaping needed to be done. He felt the Commission was going to have a hard time spending the money on the parking lot because revenue would be lost, but 12-18 months down the road when all the hotels and condominiums kicked in there would be TIF dollars and a lot of money coming in and that if the work could be done in phases it might be an easier sell to the Commission. He continued that if they strategize with that plan, he felt it would be easier to sell because they could say they had the money and remind them the wave wall was done without their help. He stated they needed to get through the next tax year because the tax assessments would not be given until building currently under construction had been given the Certificate of Occupancy, and would stretch those out because they were still being assessed on vacant land. If this was planned in phases, they would be able to accomplish their goal. He

stated the project had to be palatable, and the way it was being presented would probably not be accepted by the Commission, but if it is presented in two phases it would be much more saleable to the Commission.

Paul Flannigan stated that the road would not be finished until the fall of 2008. He stated that the Board needed to get EDSA to include the design work.

Brad Fitzgerald reiterated that they would not have the TIF dollars for about two years.

Paul Flannigan stated that the suggestion that the project be done in phases was a good idea because it would go hand-in-hand with reality.

Chair Ina Lee stated they needed to be informed about the cost for maintenance.

Earl Prizlee stated that an aerial view of the schematic would be beneficial to see if you actually see the pavers, or is it more effective to put this in the roadway as a traffic calming method.

Chair Ina Lee stated that her concern was that this Board continue moving forward with what they could do, and in spending \$200,000 for that portion she was not sure they were getting the "bang for the buck." She asked if the money was not to be spent on the pavers, where would they use those funds.

Steve Glassman stated he was also concerned about the pedestrians in the area and whether or not they would appreciate the enhancements. He further stated that he was not as concerned about the drivers coming over the Bridge being able to see it.

Al Miniaci suggested that the parking fee for the lot be increased by \$.25 and then the maintenance costs could be covered.

Chair Ina Lee stated that she was hearing for this Board to conceptually approve the project with the caveat that the Commission address the maintenance issue, and that there also be a staff issue involved. She further stated that she was also hearing that staff should investigate the options for the corner, which she proceeded to indicate on the map, and then bring that information back to this Board at their next meeting for further discussion.

Paul Flannigan stated that he would like this Board to approve the City owned corner for public restrooms.

Chair Ina Lee stated that the issue of public restrooms has been thoroughly discussed, and she recommended the Board vote on the motion put on the table. She proceeded to remind the Board of the motion which had been made.

Motion passed 8 – 0.

Chair Ina Lee continued stating that the next portion of this was the Board's request to staff to research the corner. She stated that she was in favor of public restrooms, and this was an issue that needed to be addressed.

Paul Flannigan stated that he did not think enough progress was made at today's meeting for him to proceed because only three corners had been addressed at the site. He felt staff should

be directed to do something more.

Chair Ina Lee stated that this was part of the Streetscape and they had their four corners, but now they needed staff to decide if they had to go out for public bid or not for the restaurant.

Chair Ina Lee stated that at the last meeting questions arose regarding taking away emphasis from the public portion of the sidewalk and focusing on the Intracoastal portion and part of that was not a public right-of-way.

Paul Flannigan stated that EDSA could work on such issues.

Paul Kissinger asked for some further clarification of the concerns that had been raised.

Brad Fitzgerald stated that his concern was that they had the right of turning people away from going down the private sidewalk, but at the same time they were saying it was open to the public. He also stated that he felt the City needed to look at the liability issues because if people are guided to a wooden dock and if problems arose who would be sued. He stated that these were legal issues that needed to be addressed by the City Attorney. He stated that he did not have a problem with the concept. He reiterated that there was a difference in saying the area was open to the public, and then saying they had the right to turn them away.

Paul Kissinger stated that from a planning and design standpoint, they were looking to provide accessibility to the water. DOT, as part of the 3+2 Plan, would maintain their typical sidewalk and that would not change. He continued that they, therefore, had developed the looped pedestrian system, and if there was an opportunity for such access along the waterfront, they wanted to promote it. He stated that from an operational standpoint they would have to work with their client in regard to the client's expectation, but from a planning and design standpoint, they wanted to illustrate another way to walk along the water on the Beach.

Frank Gerncet stated that they all wanted to make the beach area like the riverfront. He remarked that the overall goal was to be able to see the Ocean as one came over the Bridge. He stated that they had bigger visions and wanted their property accessible to the public, and help the Swimming Hall of Fame. He thanked the Board for supporting the proposed project. He stated there were enough property owners in the area to help this to happen and solve the problems.

Tim Schiavone, owner of Parrot Lounge, stated that he wanted to encourage this Board to set their standards very high. He stated that this project would help set the standards for the area and so that this "fire" would catch all the way to Sunrise Boulevard. He stated that he was impressed in how everyone was attempting to work together and a search for excellence was being done by everyone involved. He stated that all the "stars were now in alignment," and now was the time to "pull the trigger" and get things done. He added that over the years he probably put more money into his building, than what the City had invested in the entire neighborhood in the past 32 years. He stated that he was encouraged now because it appeared that the trend was going towards practical and responsible redevelopment. He stated this was an excellent example of a piece of the puzzle. He encouraged this Board to make this project happen.

Jim Flannigan stated that he lived in the Philadelphia area and that Center City about 7-8 years ago was enhanced and redevelopment took place, and they established an area where local businesses contributed. Mr. Flannigan offered to check for further information on the person

that had put that plan together for Philadelphia and other cities and forward it on to the City.

Chair Ina Lee stated that the City Manager presently offered this concept as a possibility which was a Beach Improvement District for the entire Beach.

UPDATE – BEACH TRANSPORTATION IMPROVEMENTS: 3+2 PLAN – ADDITION OF NORTHBOUND LANE ON SEABREEZE BOULEVARD

Chair Ina Lee stated that this aspect dealt with the local businesses and encouraged individuals present to remain and hear this discussion.

Paul Costanzo stated that at the March 1st Commission meeting, the Department of Public Works presented to them an update and a presentation which was approved by the Commission, which led to the Commission at their March 15, 2005 meeting to approve the signing of contracts with the Urban Group to proceed with appraisals regarding the necessary takings for the 3 + 2 Plan, and a contract with Sam Gorn's law firm to act as special counsel for appraisal and various ancillary issues dealing with the overall plan. Both were moving forward and the only caveat was that in regard to the Urban Group contract, the appraisals, prior to making any offers because there was concern whether there were sufficient funds remaining to deal with the takings and the business damages that would be necessary along the stretch of Seabreeze, would be reported by Public Works after appraisals were done so the issue could be re-examined as to whether there were sufficient funds in the budget to move forward.

Paul Costanzo further stated that everything was moving faster than it had in the last three years.

Steve Glassman asked if this Board had to make a recommendation that the City Commission confirm the 3 + 2 Plan.

Paul Costanzo stated that had already been done.

Chair Ina Lee stated this was good news.

VICE MAYOR TRANTALIS BIRTHDAY BASH PLANT-A-TREE FUND UPDATE

Paul Costanzo stated that back when the Vice Mayor held his birthday party, Paul Kissinger finished the design, pro-bono. The work would be advertised for bid in the near future, and the Vice Mayor wanted to ensure that it would be constructed prior to the end of the summer.

Earl Prizlee stated that the project has been approved by the building department and once the engineering specifications were complete, it would be put out for bid.

WAVE WALL DISCUSSION

Chair Ina Lee stated that the wall was lit and the event went well. She remarked that this was a good public/private partnership. She thanked everyone for their contributions. She stated that she believed this would not have occurred if it wasn't for the efforts of Brad Fitzgerald. She thanked him very much for all his hard work and efforts.

2005-2006 MEETING SCHEDULE

Chair Ina Lee referred everyone to the proposed schedule.

OLD/NEW BUSINESS

Disaster Recovery

Chair Ina Lee stated that in regard to the Disaster Recovery discussions, she did not believe that anything had occurred. She stated that she had met with the City Manager and nothing was taking place. She recommended that they go straight to the City Manager instead of going through the Commission.

Mel Rubinstein stated that should be the Board's #1 priority. He remarked that it did not just deal with hurricanes. He felt any possible destruction, such as fire or accident of property on the Barrier Island should take precedence towards recovery. He felt something should be done before the next hurricane season begins.

Brad Fitzgerald stated that this had not been reported to the City Commission through Commissioner Moore, but he felt they should meet with the Commissioner and request that this be discussed by the Commission.

Brad Fitzgerald proceeded to recommend that the Board speak with the City Manager. Chair Ina Lee agreed and volunteered to meet with him. The Board agreed.

Mel Rubinstein recommended that Brad Fitzgerald, Vice Chair of this Board, also attend the meeting. He also asked that this matter be placed on the Board's next agenda.

Overlay District

Chair Ina Lee stated that the Overlay District matter was also at a standstill.

Paul Costanzo stated that the draft was final, but he had been unsuccessful in having it moved into the Planning Department. He stated that he had spoken with the Vice Mayor who was supportive of the overlay district and who promised to speak with the Director of Planning. Chair Ina Lee stated that comments were received back regarding people's concerns.

Paul Costanzo further stated that he had met with the Planning Staff and their concerns involved that they did not have the mind set to give credence to anything constructed without permits, i.e. illegally constructed. He remarked this was a major issue in their philosophical discussions. The other philosophical discussion taking place were that they strongly felt there had to be some type of preservation component done in addition to the overlay district, that this Board was not supportive of. He stated that had not been incorporated into the draft. He stated those were the major problems staff had during the discussions. He stated that he had anticipated those hurdles. He added that one had to have an open mind from a planning perspective in order to get over the major hurdle involving lending credence to what existed today, that might not have been blessed at the time of construction. He continued that those two major philosophical hurdles had been discussed with the City Attorney's office, which he also had anticipated. He stated that the slow down was in trying to get this into the Planning Department and getting it moving. He added that if they needed to "tweak" the language, that

would not be a problem and he did not feel that was a major concern.

Mel Rubinstein asked who was in charge of the Planning Department. Paul Costanzo replied that Marc LaFerrier was the Director. Mel Rubinstein asked what the Vice Mayor had responded in regard to these issues. Paul Costanzo stated that he had not yet met with him since the lighting of the wall. He did not know if the Vice Mayor had spoken with Mr. LaFerrier. Mel Rubinstein stated they were dealing with the bureaucratic mind set, and unless the Vice Mayor got behind this, it would not move forward.

Brad Fitzgerald stated that this involved more than just the Vice Mayor because he felt a very subjective thing was coming up. He stated that it had not been permitted and an addition had been added and it did not also meet the setbacks, but at the same time there were real problems that needed to be resolved. He felt it could be a "can of worms" waiting to happen in the future. He stated that he ran into this problem frequently in regard to the developments occurring on the beach, because existing building have been modified from their original use.

Paul Costanzo added that it was a philosophical problem, but there were major items in their favor. The biggest one was that on the beach it was an RAC, and therefore, there was no maximum density requirement built into the zoning ordinance. If there was a maximum density requirement built into the ordinance and into the City and County's Master Plan, which there was not, it would not be "worth the climb to go over the mountain." He stated that since there was no such clause to deal with, they only had to deal with the beach's maximum unit cap. He added that many units there were built as apartments and converted into small hotels/motels, and vice versa. In analyzing the year of 1989, the unit count building-by-building and the changes were not extensive when looking at the overall cap.

Paul Costanzo reiterated that the overlay district is drafted to not be concerned whether Building A had five units or twenty-five units, as long as it all fit within the overall cap. He added that there are about 2500 units left in the beach cap. He stated that unit count should not be looked at as a stumbling block. He stated the Planning staffs concern with the issues are we have two neighborhoods, SLA & NBRA that we are doing this to, what neighbor hood will ask for it next and how would we deal with it, but he believed these issues could be worked out if things started to move forward.

Brad Fitzgerald stated that he had been lobbied by Russell Dion, and he explained that the owners on the Beach were "freaking out" about the Streetscape Plan because there was a lot of illegal parking in the area that would be eliminated with the plan.

Paul Costanzo stated that he had some conversations with Condominium Association Presidents in that regard. He explained this was basically in the NBRA area. He further stated that when they began constructing the NBRA portion of the Streetscape Plan, they would be adding additional parking spaces and have an abundance of parking. He stated there would be more available space than what presently existed.

Brad Fitzgerald stated that it was his opinion that they were not doing a good PR job in order to sell this because everyone believed that parking spaces were being taken away from in front of their businesses. He suggested that letters be sent to all the property owners explaining the parking issue. He stated that the message was not getting across, and it had to be sold in order for everyone to be on board with this plan. He added that most people had converted units and had more guests than available parking.

Chair Ina Lee recommended that such letters be sent to the property owners. She suggested that when they met with the City Manager, that the concerns regarding the overlay district also be mentioned.

New Business

Beach Council

Chair Ina Lee stated that she wanted to update the Board on two other items. She stated that a group known as the Public/Private Committee met with the City Manager and various other individuals to discuss the area in front of A-1-A and other issues. She continued that the City Manager informed them that in White Plans the Business Improvement District had worked very well. She stated that the CRA only involved a portion of the Beach, and even though they had funds to do certain things, they could not do them because it was out of the area. She further stated that maintenance issues could not be addressed, and there were restrictions as to what they could and could not do.

Chair Ina Lee stated that with the creation of the Business Improvement District, they would be able to enhance City services. Everyone on the beach would contribute and it would be a separate Board, separate from the City while not taking away from the City services, but enhancing them. She advised that the Beach Council was researching the formation of such a group. She stated that for the short-term, the Beach Council suggested creating an Adopt-a-Block Program for the Beach. She stated further that they wanted a four-star destination, but the best they had right now was a two-star. She added that this idea was also being investigated by the Council. She added further that there was such a program for the City already and felt it should be extended to the Beach area.

Wave Wall

Al Miniaci asked if they could check the wave wall south of Las Olas on the east side because the panel was opened and he felt that damage could occur. He suggested this check occur periodically.

Trash on the Beach

Al Miniaci stated that from Las Olas to Sunrise appeared to be the area where trash constantly occurred. He suggested that maybe property owners could contribute and work on the area's clean-up on the Beach. He stated that maybe a sign could be put on saying to keep the area clean. Chair Ina Lee remarked that area was the responsibility of the Parks and Recreation Department.

Al Miniaci asked if something could be done in regard to the trash in front of the Elbow Room. Chair Ina Lee stated that there was an article in the paper about The Beach Club. She felt the Elbow Room could be incorporated into something like the Beach Club.

Brad Fitzgerald stated that they needed to constantly be fined, and eventually it would be cheaper for them to hire someone to clean up the area than to continue paying the fines.

Al Miniaci stated that he did not know if this was finable, but it should be checked into. It was suggested that Michelle Penrod be approached regarding the matter.

Chair Ina Lee stated further that unless that block was dealt with, everything else being done would not make a difference. She stated that she did not know what could be done, but the issue should be addressed. She suggested that conversations be held in the future to address the problems.

Al Miniaci stated that when Jack Penrod first took over the area, he had cleaned it up and he had put food in his establishment, but then his business went down hill.

Chair Ina Lee stated that they should at least attempt to meet with someone regarding these types of problems because they did impact the area.

Brad Fitzgerald stated that they needed to keep in the back of their minds that if the City was going to put pedestrians along the waterway that is proposed in Paul Flannigan's project they need to make sure that they were not going to get in trouble liability wise. He felt the proposed loop around the water would be phenomenal, but he had a problem regarding the City's liability.

Chair Ina Lee stated that the proposed project that Paul Flannigan had brought forward was an attempt to get things happening and help create the vision for the area. She stated that she was not against any part of the project, but she was just attempting to separate the issues regarding the project.

Paul Costanzo stated that he understood such concerns, but those would be addressed when Mr. Flannigan's development plans were submitted to the Planning Department. At that point, the City Attorney's office would get involved.

Brad Fitzgerald stated that if the City's sidewalk was steering individuals into the area, then they could be held negligible. He also stated that he felt the City should not pay for improvements on private property.

Chair Ina Lee stated that the first meeting regarding the project there was a minimization of the east side. She remarked that people liked to walk in a straight path, and she felt they needed to stay the course and keep the public sidewalk beautiful, and make it as wide as possible.

Mel Rubinstein asked if the wooden docks would be located west of the proposed restaurant.

Brad Fitzgerald stated that Mr. Flannigan would attempt to drive customers to his restaurant by taking the water view. Chair Ina Lee referred everyone to EDSA's plans is to create a loop system. Brad Fitzgerald reminded the Board that EDSA was working on behalf of Paul Flannigan's best interests, while still attempting to get this Board's approval.

Chair Ina Lee stated that for the Board's next meeting, she wanted to see more information regarding that project. She felt part of it would have to go out for public bid.

Brad Fitzgerald asked what was the next step in regard to the 3 + 2 Plan. Paul Costanzo explained that appraisals were being done. Brad Fitzgerald further asked what would happen if the appraisals were too high to make this feasible. Paul Costanzo stated that during the Commission meeting, the Mayor talked about potentials for cost overruns and remarked that TIF funds could possibly be used, or an Improvement District could be established. He stated that ways would be explored for additional funds, including going back to FDOT and saying the monies were old and in today's dollars additional funds were needed.

Brad Fitzgerald asked who was going to be in charge and added that Peter Partington had a meeting the other day regarding 17th Street and Federal Highway with FDOT. However he does not feel it is currently a coordinated effort.

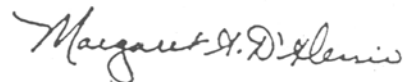
Chair Ina Lee stated that at the next Board meeting they would discuss the Recovery Disaster Plan, the Overlay District, and this matter.

CBA

Steve Glassman stated that meetings were held with residents at the Beach and he asked if the nine items recommended could be reviewed by staff so there could be a coordination of efforts.

There being no further business to come before this Board, the meeting was adjourned at approximately 4:45 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Margaret A. D'Alessio".

Margaret A. D'Alessio