

**HISTORIC PRESERVATION BOARD
CITY OF FORT LAUDERDALE
MONDAY, JULY 12, 2004- 5:00 P.M.
CITY HALL
1st FLOOR CONFERENCE ROOM
100 N. ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA**

Cumulative Attendance

Present/Absent From January 2004

Board Members

Christopher Eck, Chair	P	6-1
Todd Fogel	P	6-1
Mary-Jane Graff	P	6-1
Bill Howard	P	1-0
Margi Glavovic-Nothard	P	5-2
Rachel Bach	P	4-3
William Saunders, Vice-Chair	A	6-1
Carolyn Dandy	P	6-1
Tom Welch	A	0-1
Clay Wieland	P	6-1

Staff Present

James Cromar, Planner, Staff Liaison to HPB
Merrilyn Rathbun, Ft. Lauderdale Historical Society, Consultant to HPB
Assistant City Attorney
Margaret A. D'Alessio, Recording Secretary

Guests Present

Commissioner Christine Teel	Roger LeBlanc
Art Bengochea	Dennis Mele
Steve Siskind	Teresa Sjogren, Esq.
Ellen Ugucioni	Janet Suyar
Steve Glassman	Judith Scher
Diane Smart	M.S. Anderson
Gerald Knight	Brad Capas
Denny O'Shea	

Call to Order

Chair called the meeting of the Historic Preservation Board to order at approximately 5:08 p.m. Roll call was taken with the following Board Members being present: Rachel Bach, Carolyn Dandy, Christopher Eck, Todd Fogel, Margi Glavovic-Nothard, Mary-Jane Graff, Bill Howard and Clay Wieland.

Approval of Minutes – June 7, 2004 Meeting

Motion made by Margi Glavovic-Nothard and seconded by Carolyn Dandy to approve the minutes of the May 3, 2004 meeting. Margi Glavovic-Nothard stated that in the 4th paragraph on page 9 she had said "...fabricating historical features should not be done according to the Secretary of Interior Standards..." and she asked that a comma (,) be placed after the word "done" to help clarify her statement. Board unanimously approved as corrected.

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Chair Christopher Eck welcomed Commissioner Teel to tonight's meeting.

All individuals wishing to speak regarding the cases on tonight's agenda were sworn in.

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| Applicant: | <u>Broward Trust for Historic Preservation</u> | <u>Case No. 13-H-04</u> |
| Owner: | Senior Housing Properties Trust | |
| Location: | 2900 Riomar Street
Tiffany House (Escape Hotel) | |
| Request: | Historic Designation | |
| Zoned: | NBRA | |
| Legal: | <u>Birch Ocean Front. Block 8</u> , Lots 1, 2, 3 & 4.
P.B. 19, P. 26
AND
<u>Birch Estates.</u> Lots 15, 16 & 17.
P.B. 23, P. 24 | |

James Cromar stated that this application was a request for historic designation for the Tiffany House (Escape Hotel). He explained the Broward Trust for Historic Preservation had submitted the application. He announced that representatives of the owner were also present at tonight's meeting. He reminded the Board to consider the criteria in Section 47-24.11.

Merrilyn Rathbun, Consultant, stated that the applicant was requesting historic designation for the old Escape Hotel, a 1951 mid-century modern structure. She stated that the applicant had done extensive research on the building and included research materials with the application. The Escape was located in Birch Ocean Front Estates, a subdivision on the Barrier Island that was not covered by the original City historic surveys, nor had it been covered in the recent update of historic surveys.

Ms. Rathbun continued stating that under Section 47-24.11 of the City of Fort Lauderdale's ULDR, the applicant had identified criteria a, c, d, e and f as applicable to the request for historic designation. She proceeded to read Section 47-24.11.B.6.a.c.

Ms. Rathbun further stated that after World War II, the entire country had been faced with a massive housing shortage. The economic depression of the 1930's limited construction of new homes, along with wartime manpower and material shortages halting civilian construction. She stated that a local architect, Robert Hansen, described his employment situation after Pearl Harbor in a series of notes written for the Fort Lauderdale Historic Society as follows: "Late that year, it looked as tho a future out of uniform for young single men in any work or capacity was dim."

Ms. Rathbun continued stating that Fort Lauderdale during the 1940's was a small city of about 25,000 people surrounded by thousands of acres of agricultural and undeveloped land. During the war, the City hosted a US Navy Section base at Port Everglades, a Naval Air Training facility at the former Merle Fogg Field and other military installations. These facilities brought thousands of young servicemen to the community. The city fathers responded by opening a Servicemen's Club, not associated with the USO, which attracted military personnel from all over South Florida, consolidating the town's reputation as a good liberty town. At the end of the war, many of the now demobilized servicemen decided they wanted to relocate to the area. Entrepreneurs, such as the Gills, father and son, recognized the trend and came to Fort Lauderdale and took part in what became the largest economic boom the town had ever seen.

Ms. Rathbun explained that George Gill, Jr. had visited Fort Lauderdale on vacation shortly before entering the Navy for the duration of the war. After his return from service to his home in Chicago, he and his father George

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Gill, Sr. looked into investing in real estate and home building. To address the critical housing shortage and minimize risk to lenders, the Federal Housing Administration guaranteed loans to home builders, and further minimizing risk to builders, the Veteran's Administration gave low-interest mortgages to returning servicemen.

Ms. Rathbun further stated that Terry Clements of Virginia Tech, Department of Landscape Architecture, had identified four development stages for post-war suburban development: "the speculator stage" (purchase of undeveloped land); "the rezoning stage" and "the utilities and road building stage," along with the "financing and building stages." Bob (George, Jr.) Gill knew from his earlier visit to Fort Lauderdale that there were platted subdivisions with some utilities that were left undeveloped by the collapse of the 1920s Florida construction boom. The Gills understood that with the purchase of the relatively inexpensive and partially developed lands, construction could start almost immediately. This was the beginning of the construction of over 3,000 "Gill" homes built in the late 1940s in fourteen subdivisions in the City.

Ms. Rathbun explained that by 1948, Bob Gill was bored with home building and had decided to investigate Fort Lauderdale's other economy, tourism. At that time, there were only three resort hotels on the beach and he was not impressed with their starchy formality. He felt an informal "island" style resort would do well. The Escape was the first of Gill's tropical style resorts, featuring amenities such as tennis courts, the first hotel swimming pool, nine-hole pitch and putt golf and "name" entertainment.

Ms. Rathbun referred the Board to criteria "d" of Section 47-24.11.

Ms. Rathbun also stated that Architect Lester Avery had a business relationship with the Gills prior to his involvement with the Escape Hotel. In the Fort Lauderdale City Permit log for 1949-50, Avery, one of the architects primarily responsible for the design of the various phases of the Hotel, was listed as the architect for 695 homes built by Gill Construction Company in the Progresso subdivision. Early in his career, Avery was notable as the chief architect of the Harbor Oaks development in Clearwater, Florida, for visionary developer Dean Alvord.

Ms. Rathbun further stated that Theodore A. Meyer, the lead architect for the first phase of the hotel, practiced architecture in Fort Lauderdale from 1937 to his death in 1957. Meyer was among that group of architects who were instrumental in popularizing new types of construction and promoting new styles in the development of the City just after World War II. Ms. Rathbun referred the Board to criteria "e" and "f" in Section 47-24.11.

Ms. Rathbun explained that the Escape Hotel was a very good example of the popular building style of the post World War II period now called mid-century modern. The style drew on elements of the Art Moderne and Deco, International and Modern style architecture. The building was well sited on a lot shaped like a trapezoid. The most distinctive design element of the complex was the curved wall at the west end, the narrowest part of the trapezoid, and another at the northeast corner of the building. When new, the hotel featured innovative metal awning windows, which have been replaced with modern windows. The building retains its historic character and is worthy of historic designation.

Ms. Rathbun advised that the Board could approve the application as presented, approve it with modifications, or deny the application.

James Cromar stated that the owner of the property was a separate entity from the applicant.

Diane Smart, Broward Trust for Historic Preservation, proceeded to show an aerial of the site. She stated that there were two subsections involved with the property. One was Birch Waterfront Estates and one was Birch Estates. She continued stating that Mr. Gill had purchased the property at two different times. She stated that Lots 1-4 had been developed also by Richard Riley and Tony Sherman. She stated that the south portion (Birch Estates) was now empty but the tennis courts had made it very famous. She stated that a shuffleboard court

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had replaced the tennis courts later on. She stated that the bar by the pool had made this a famous tennis center. She stated that during the hotel's history, a determined City planner had decided that the parking requirements had to be enforced, but yet it was a retirement center and no one had a car. She stated this had begun the demise of the property because the bar area accompanying the courts had been a major asset of the property.

Jerry Knight, attorney on behalf of the owner, stated that the owner was Five-Star Quality Care, Inc. and Senior Housing Properties Trust. He stated they opposed the designation of the property as a historic landmark. He explained that the property was currently vacant, and had not been used as a hotel for about 20 years. He added that the property's last use had been as a retirement home. He stated that the applicant had been constrained by the form of the application, and it had been indicated that the agent's name was Broward Trust for Historic Preservation, but that group was not the agent of the owner.

Mr. Knight stated they believed that the applicant had not set forth the information required in Section 47-24.11.B.2 to show that the property met the criteria for designation as a historic landmark. He further stated that the applicant had not demonstrated that the property was worthy of rehabilitation, restoration or preservation based on its historical or architectural significance. He stated that Doug Snyder, architect, was going to speak on this matter. Before Mr. Snyder spoke, Mr. Knight proceeded to distribute copies of his narrative and resume to the Board.

Doug Snyder, architect, stated that he had a Masters Degree in Historic Preservation with the University of Florida. He explained that his firm had done a number of preservation projects throughout the City and Broward County. He stated that in evaluating the landmark designation, it was important to understand that this designation was not for every building over 50 years old, and had to meet the criteria. He further stated that he had done an analysis of the application; the applicant's summary regarding meeting the criteria, and the City's consultant's memorandum. He stated that the Escape Hotel was not one normally associated with the Gill Family, and he felt that the Jolly Roger Hotel designed by Sherman was more associated with that family.

Mr. Snyder stated that in meeting the second of the criteria, the basis was the association with the Gill Family. He stated nothing specific was tied to this project, but their basis was the fact that they felt for the most part that the Jolly Roger Hotel was one of the first true beach resort hotels within the City. He stated that in regard to the third criteria, he had done research on Theodore Meyer who had done work on one of the buildings in the center of the site, and Lester Avery who had worked with the Gills in regard to construction of their homes. He stated that such work had prompted Lester Avery to do the design work on the west and east sides of the hotel. In addition, he stated that Lester Avery had also done the cabana building that was located to the south of the pool.

Mr. Snyder stated further that they had discussed this matter with Mr. Gill, and when he had asked things about Theodore Meyer, he had not recalled that he had been the original architect. He stated that he did have a lot to say about Lester Avery and had had a longer relationship with him. He stated that both had practiced in the area and had done modest 1-2 story apartment buildings, but none were significant in regard to architectural character or style relating to the development of the City. He added that Mr. McKirihan, Sr. was another architect who was prevalent in the area.

Mr. Snyder stated the applicant had based their information on item "f", but the consultant had included items "e" and "f." He stated something unique about this entire application was that this was new ground for preservationists, and a new area regarding architectural style that they had only scratched the surface on during the last 2-3 years. He further stated that the post-war movement was fairly new, but there was a distinct difference in the architectural style between the Art Deco and the Post-War Movement. He stated that the Deco or Moderne style had its heyday in South Florida during the 1930's. He gave as an example the Fort Lauderdale Beach Hotel which had been designed in 1939 by Roy France. He stated that the Art Deco

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movement had died down between the 1930's and 1940's, and a new evolution in architectural style took over, known as the Post-War Movement. He stated a lot of that was a reaction to the international style in the 1930s. He explained that such large movements took time to be absorbed. He remarked that architects were eclectic and customizations were done of styles and movements. He felt that was evident with the post-war movement. He stated the best example of that was the Jolly Roger, which had many distinctive elements characteristic of the Post-War Movement.

Mr. Snyder further stated that the buildings initially included in the application had been identified and associated with the Moderne style, which had dwindled by the early 1940's.

Mr. Knight reiterated that the applicant had not met the requirements or demonstrated that this property met the criteria set forth in the Code for designation as a historic landmark. He stated they did not believe the site was worthy of landmark status, and felt it had marginal historical or architectural significance, if at all. They felt that the Jolly Roger was more representative of the Gill Hotel beginnings, and the architectural style being referred to in this matter. They felt by designating this site, it could devalue some of the other properties designated as historic. He stated that Mr. Snyder had stated that the property was not particularly associated with the Gill family, and not associated with any influential architect in terms of the City or representative of any particular architectural style. He stated that the owner had no intentions of rehabilitating or restoring the property. In the owner's view, the useful life of the buildings had been exhausted, and it was not economically feasible to restore them and attempt to operate them as a hotel or residential project. He reiterated that they opposed such designation.

Chair Christopher Eck proceeded to open the public hearing.

Myrtle "Andy" Anderson stated she had been a realtor in the City for over 40 years. She stated that she had first known about the Escape Hotel when her family had rented an apartment nearby. She stated she was from New York City and was not opposed to high-rises or crowds. She eventually moved to the City and had an apartment near this hotel and was very familiar with it. She remarked that in the late '50's the Escape Hotel was "the" place to go. She stated she wanted to see this City grow and prosper, but some things needed to be saved. She stated the building was totally unique and should be saved. She reiterated that the City had a lot of high-rises and they did not need any more. She added that individuals loved living in the building when it had been an assisted living center. She realized the building needed work and it did not have central air, but it was very different. She felt they should not give up everything that had charm and green space.

Steve Glassman, President of the Central Beach Alliance (CBA), stated that the property had been discussed several times at their meetings, and it was located in the heart of the CBA. He reiterated that this district cried out for such designations and they were concerned that time were against these properties because they were being torn down one-by-one. He stated this Board had an important charge, which was to look at the CBA. He reiterated that this area had not been well represented in the updated historic surveys. He stated the area had a wealth of mid-century architecture, and this building created a sense of place in the area. He further stated that the CBA supported this application. He stated it was his understanding that only one criterion had to be met for designation. He urged the Board to review this matter and consider updating the historic surveys to include the Central Beach area before they lost the representation of mid-century architecture. He felt by designating this property the Board would be sending a strong signal that it was time for such properties to be considered because of the cultural and institutional fabric it represented from the period of its heyday.

Diane Smart further stated that she wanted to address two points made by the owner. One dealt with historic significance and the other was the architectural importance. She continued stating that Mr. Gill had been a residential builder and this had been his first hotel and was where he turned the corner. She remarked that he was very proud of this work. She reiterated that the success of the Escape Hotel took him forward to build the Jolly Roger, Yankee Clipper and Yankee Trader. She stated the Escape Hotel had been in operation for 34

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years. In terms of architectural significance, she stated that mid-century modern was very popular at this time and Broward County was on the record with national architectural critics as having one of the largest collections of such architecture in the US. She stated this came about a decade after the Art Deco heyday in Miami Beach. She stated that Broward County was very important in the particular period of this hotel. She continued, stating that one of the important aspects of this property was in regard to its condition, which was incredible.

Mr. Knight stated that he wanted to comment on statements made regarding the unique appearance of the hotel and its architectural style. He remarked that it did not fit the modern architectural style that was waning at the time and was a mixture of many things. He stated they did not know what Mr. Gill's thoughts were and he was probably proud of all his work, but he had not expressed any thoughts in regard to this application. He stated they objected to a representation of any kind that he was in support of this designation because they did not know if he was in support or not, since they had not had any communication with him. He urged the Board to deny this request.

There being no other individuals who wished to speak on this matter, the public hearing was closed and discussion was brought back to the Board.

Motion made by Margi Glavovic-Nothard and seconded by Clay Wieland to approve the application as submitted including the Consultant's report.

Margi Glavovic-Nothard stated that the architect had not talked about mid-century modern, but had stated this was not meeting the pre-war style of the Moderne period, and they felt it was an ambiguous style. Mr. Snyder replied that the term mid-century modern was something he had not heard previously. He stated that in the mid-1940s, Mr. France began doing buildings, such as the Saxony, which expressed a development of the post-war movement. He stated it included various elements such as more glass area, large expanses of store fronts, and it recognized the fact of automobiles being used and the use of cantilevers. He stated there was the use of flat folded plates used in the Jolly Roger. He further stated that angled thin flat roofs were used, along with stone and brick.

Margi Glavovic-Nothard asked how Mr. Snyder would describe local architecture that would be relevant in the 1950s and 1960s. Mr. Snyder stated that a lot of this was developed in the late '40s. He stated that the magazine "*Home*" had a lot of photographs showing this type of architecture. He stated this type of architecture was readily received in the South Florida area and was very evident. He stated they tried to push every piece of architecture into a pre-fit molded style, but that did not work. He explained that some architects followed particular styles and current movements, but others would linger on with other work. He reiterated they were eclectic individuals and liked to grab from the past.

Chair Christopher Eck stated that comments had been made that this was a transitional piece of architecture, and that was one of the reasons it should not be considered for designation. He asked if that meant that an eclectic or transitional piece of architecture in another setting from another era would not be. Mr. Snyder stated that style was a time lock over history, and that was why they tried to fit buildings into a particular style. He further stated it was a chronological order of history from the past. He stated that "transitional piece" was a term used very loosely, but it was not a well-done piece of architecture. Chair Christopher Eck clarified that Mr. Snyder was not saying that transitional or eclectic pieces of architecture could not be designated. Mr. Snyder confirmed he was not saying that.

Chair Christopher Eck further stated that post-war architecture was becoming more recognized in the area, and asked if one of the architects was from Miami, would that not through inference mean that he could have been significant in Fort Lauderdale also. Mr. Snyder stated if Mr. Eck was referring to Mr. Avery, he had done a number of single-family residences and mid-rise apartment buildings, but none had expressed the main stream architectural style or influence that was prevalent in the area. He further stated that he did not have a lot of

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information regarding Theodore Meyer, but the initial building he had done had functional qualities. He stated that Mr. Gill had wanted a resort type of building and not a stuffy hotel. He stated the buildings were open and airy, but it had been a response to a function, and that did not necessarily make it significant in regard to its architecture, nor in its architectural style. Mr. Eck stated that if the building was one of its first in type, he felt it did not have to be aesthetically pleasing in order to be designated historic. Mr. Snyder agreed.

Margi Glavovic-Nothard asked what plans the owner had for the building since it was vacant. Mr. Knight replied that the owner had no particular plans at this point in time. He stated he knew they were not going to attempt to restore or rehabilitate it for use because it was not financially feasible. Ms. Glavovic-Nothard asked if they had sought input regarding the development of a project that had been historically designated, and the options that were available. Mr. Knight stated that he believed there had been some input on that, but they were surprised that someone wanted to have them designated historically. He stated they were aware of the present condition of the buildings. He further stated that since this was the first Gill Hotel, it did not mean it was historically or architecturally significant. He stated it was not necessarily the most historically or architecturally significant hotel that Mr. Gill had developed, and he reiterated that the Jolly Roger was more representative of historical significance. He stated the first did not always mean the best.

Ms. Glavovic-Nothard stated that it appeared a legacy was established in this building, and there was a debate involved. She felt that this was the beginning of a legacy and those were the things looked at in the criteria to establish relevance, along with individual buildings. She stated that she felt there was something special about the beach that they could lose if they did not look at what was true to the area. She further stated what was true were these type of courtyard buildings which were being lost. She felt it had the characteristics of a good mid-century modern building. She stated in California these were a very desirable commodity. She stated that she felt this building met the criteria, which had been reviewed in the consultant's report. She reiterated that she would support this application.

Mary-Jane Graff stated that since it was the first and the start of the hotel industry for the Gills, along with the fact that it was the center of activity and growth of the community in that area, she felt such things were significant. She believed it did have historical significance.

Todd Fogel stated that if one read the backup material, it was compelling to understand that without this building the Jolly Roger might not have been built or the future hotels after that because this had been his first stab at building a hotel. He felt that was significant. He stated that he had been inside the building and he had been impressed with the archways and doorways, along with other interior features, which he felt had significant value, along with the exterior of the building.

Chair Christopher Eck stated that in reviewing the designation report as prepared by the Consultant, he felt it appeared that the Gill family had been a significant part of the development of the City, which was part of the historic criteria. He stated that during the boom when Mr. Gill had first gained notoriety, he had been responsible for building a very large percentage of buildings throughout the City. He stated the residences he built had numbered over 3,000. He felt that Mr. Gill had significant impact on the development of the City just through the scope of development that he had participated in. He further stated that Mr. Avery had been the architect for over 700 homes for Mr. Gill, which had a significant impact on the development of the City. He stated that Mr. Gill's influence in the development of the City was meeting another requirement of the criteria. He further stated that it could be pondered whether transitional met mid-century or not, but perhaps because of its position as the first hotel whether it was a recognized style being debated by some, it appeared to be a key piece. He stated that a lot of the buildings in the Miami Beach Historic District had not been 40 or 50 years old when the art deco district was being formed in the '70s. He felt that a building's age was not always the most significant feature, even though this building was over 50 years old. He felt the criteria for designation had been met.

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Motion was restated as follows:

Motion made by Margi Glavovic-Nothard and seconded by Clay Wieland to approve the application as presented for historic designation in accordance with criteria a, c, d, and f being met. Roll call showed: YEAS: Carolyn Dandy, Clay Wieland, Mary-Jane Graff, Rachel Bach, Todd Fogel, Margi Glavovic-Nothard, Bill Howard, and Christopher Eck. NAYS: None. Motion carried 8-0.

2. **Applicant:** Elizeu Silva **Case No. 20-H-04**
Location: 1101 SW 2nd Court
Request: Certificate of Appropriateness for Alteration
- Board-on-board fence, 6' high on east and west sides of property.
 - Presidential see-through wood fence, 5' high in south side (front) of property.
- Zoned: RML-25
Legal: Waverly Place. Block 116, Lots 1 to 5 inclusive, P.B. 2, P. 19.

James Cromar stated that the applicant wanted to construct a fence around his property. He explained that this item had been before the HPB previously for administrative approval, but had been called up by one of the Board members. He referred the Board to the Material and Design Guidelines for SBHD in Section 47-17, along with the criteria in Section 47-24.11.

Merrilyn Rathbun, Consultant, stated that this house was not listed in the surveyed properties Florida Master Site File for the City of Fort Lauderdale. She stated that it was not shown on the 1937 Sanborn Fire Insurance Map from 1937, but was shown in a paste-over on the 1957 Sanborn Fire Insurance Map. She stated further that the house was built sometime in the 1950s and is not in the Period of Significance (1913-1940) for the SBHD. It would not be considered historic in the district.

Ms. Rathbun continued stating that this applicant applied for administrative approval of a 5' fence, and Board member William Saunders had called this item up because he wanted to discuss the Board's intention in preserving the visibility of the house fronts in the SBHD. In the year 2000, a SBHD homeowner appealed a decision of the HPB prohibiting a 6' fence in front of their historic house (Case No. 18-H-00). The homeowner was eventually given permission by the HPB for a 5' "presidential style" fence for the front of the house. This applicant's request is compatible with that decision. She proceeded to refer the Board to the criteria in Section 47-24.11.C.3.c.i.(f).

Ms. Rathbun then proceeded to read the following criteria from the United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitation of Historic Buildings:

"9. New additions, exterior alterations or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment."

"Historic Districts"
"SETTING"

"The setting is the area or environment in which a historic property is found. It may be an urban or suburban neighborhood or a natural landscape in which a building has been constructed."

"The elements of setting, such as the relationship of buildings to each other, setbacks, fence patterns,

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views, driveways and walkways, and street trees together create the character of a district or neighborhood. In some instances, many individual building sites may form a neighborhood or setting.”

“10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.”

“NEW ADDITIONS”

“An attached exterior addition to a historic building expands its “outer limits” to create a new profile.”

“Because such expansion has the capability to radically change the historic appearance, an exterior addition should be considered only after it has been determined that the new use cannot be successfully met by altering non-character-defining interior spaces.”

Ms. Rathbun stated that the Board may approve the application, approve it with modifications, or deny the application.

Elizeu Silva, applicant, asked the Board to approve his application. He stated that he and his wife were proud to be residents in an historically designated neighborhood. He explained that they lived there since 1995 and had just refinanced it to repair the roof, bathroom, and install a fence. He stated they wanted a nice new fence to replace the old rusted chain link fence that existed. He stated their objective was for security purposes and they did not want to cover the house. He explained that the house was built about 2.5' above ground. He further stated that his neighbor had constructed a 5' presidential see-through fence, which had been approved. He explained that a 4' fence would not be viable, especially because of his dog.

Bill Howard asked if there would be a gate. Mr. Silva explained the gate would be in the front following the same style as the fence.

Mary-Jane Graff stated that in the photographs it appeared the fence was closer together than the neighbor's, and asked if the fences were alike. Mr. Silva replied that the fence was the same, but his fence would be closer to the house than his neighbor's.

Todd Fogel asked about the height of the gate. Mr. Silva replied it would follow the same height as the fence.

Margi Glavovic-Nothard asked if it would be more expensive to do a presidential-style type fence than the other board-on-board fence on the 11th Avenue side. Mr. Silva confirmed and stated that the front would have to be customized. Margi Glavovic-Nothard stated that the applicant's house was on the main entrance to the neighborhood, and stated that a long wall would be created at the other side. Mr. Silva stated that he envisioned a nice clean fence with landscaping. Ms. Glavovic-Nothard stated that the landscaping would be a good idea to help break down the façade. Mr. Silva stated he would be willing to put in plants, but did not want a hedge.

Motion made by Rachel Bach and seconded by Clay Wieland to approve the application as presented.

Todd Fogel stated that the neighbor's fence had been referenced in the application, which was to the east of this property. He stated that in reviewing the information about that referenced fence, it had been an application under Case No. 18-H-00 and proceeded to read from that case. He explained that a 5' fence was approved with conditions. He read as follows: “Upon inspection fence was constructed correct, but gate remains in violation.” He stated that the gate was to be 4' and the owner had refused to correct it. He reiterated that the fence in the photograph being shown had not been approved by this Board. He stated the Board would be setting a

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precedent if they permitted him to build something they had not approved and using that fence as a reference.

Mr. Silva stated that the gate at the neighbor's fence could not be looked through.

Chair Christopher Eck asked for further clarification as to whether Mr. Silva's fence at 5' with a 4' gate would be acceptable.

James Cromar stated that he had reviewed the previous case with this applicant, but he did not remember the details regarding the gate. He stated the initial presentation was for a 6' fence, which the Board had denied, and a change of design had to be done. He further stated that the Board had appealed a 5' fence. He continued stating that since the fence had been built, the fence code had changed in the last year. He explained that the fence code did allow this type of fence.

Chair Christopher Eck stated that the violation on the referenced fence was in regard to the gate not being the proper height. Mr. Fogel stated they had a solid gate.

Mr. Silva remarked that he had spoken with the owner of the house and nothing had been said about the gate.

Chair Christopher Eck asked if the element to be clarified was in regard to the gate's height or was it a material issue or both. He stated if this applicant constructed a 5' fence of the same material and height would it be a valid fence under the Code for the district.

The Assistant City Attorney stated that at this point the applicant had been approved by zoning, and therefore, the fence at 5' would not constitute a code violation. She further stated they did not have the previous case with them this evening, and she was not sure of all the fact. She reiterated it was not relevant to apply such facts to this case.

Todd Fogel stated that his point was not in regard to a code violation, but he was stating that the other fence had been referenced in the application regarding the style. He stated that he wanted to make it clear that according to the case law for code inspections, the owner had gone against what had been approved by this Board. He stated he was not opposed to a 5' fence or a gate that could be looked through, but he did not want it to be referenced as part of the record that this fence was being approved based on the referenced fence since it was in violation of what this Board had approved.

Margi Glavovic-Nothard stated that she had not been on the Board when the previous case had been reviewed, and asked if it gave the Board some understanding of what the neighborhood was comfortable with regarding such items.

Todd Fogel stated he had been on the Board at that time, and what they were trying to get at was to keep the houses visible, and try and keep fences pulled back to the sides of the house leaving the front visible. If that could not be done and a fence was placed in front of the house, one had to be able to look through it, or it had to be only 4' in height. He stated that was the compromise they were attempting to reach with the previous homeowner who was unwilling to comply. Ms. Glavovic-Nothard asked if the community was comfortable with the scenario Mr. Fogel had just described. Mr. Fogel stated that at that time that was what they were looking for. At this time, he was not sure because no one from the neighborhood was present at tonight's meeting.

Margi Glavovic-Nothard asked why Bill Saunders had pulled this matter. James Cromar explained that Mr. Saunders asked if the fence was acceptable in accordance with the Code. He was informed it was. He then asked to have the item called up for discussion in regard to the neighborhood's practice.

Todd Fogel clarified that the gate on Mr. Silva's fence would be 5' in height and of the same design as the front

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of the fence. Mr. Silva confirmed.

The motion was reread as follows:

Motion made by Rachel Bach and seconded by Clay Wieland to approve the application as presented with the condition that the gate consist of the same material and be of the same height as the fence in the front of the house. Roll call showed: YEAS: Clay Wieland, Mary-Jane Graff, Rachel Bach, Todd Fogel, Margi Glavovic-Nothard, Bill Howard, Carolyn Dandy, and Christopher Eck. NAYS: None. Motion carried 8-0.

3. **Applicant:** Las Olas Riverfront Assoc. Ltd. Partnership **Case No. 16-H-04**
Location: 300 SW 1st Avenue
Colonial (Bivans) Hotel
Request: Certificate of Appropriateness for Alteration
• Replace existing windows and doors with new on front (east) façade
Zoned: RAC-CC
Legal: (Refer to project file)

James Cromar stated the applicant wanted to make alterations to the landmark Colonial Hotel (Bivans), which was to be part of another project that is listed as the 4th item on tonight's agenda. He stated that the Board would take an official vote only in regard to the COA for Alteration, and the fourth item was only for the Board to review and comment. He referred the Board to the criteria in Section 47-24.11.C.

Merrilyn Rathbun, Consultant, stated that in his proposal, the developer planned to restore the historic façade of the Colonial Hotel to its original appearance. He would replace the modern windows on the second and third floors with "prairie style" windows, four-over-one lights (or panes). The first floor modern windows would be replaced with two central "Colonial style" French doors with matching casement windows flanking the doors. The windows and doors would have transom windows above with multiple (twenty-one) lights each. The building would be used as a guest elevator lobby and security office for the new project. She stated that the applicant had included a copy of an historic photograph showing the original fenestration of the hotel. The new design conformed to the original look of the building and would restore the façade of the historic building to its original appearance. She stated that this Board could approve the application, approve it with modifications, or deny the application.

Dennis Mele, on behalf of the applicant, stated that they had been working with staff in regard to the site plan for The Strand at Riverfront and with the City's consultants. A request had been made that they restore the windows and doors on the Colonial Hotel to what they had been originally.

Art Bengochea, architect, stated that he had been working with the developer and his architect to develop the historic aspects of this project. He stated that this hotel had been bastardized during the last restoration, and as part of their presentation, they wanted to restore the hotel back to its original look. He explained that the top two floors had prairie style windows (four over one), and they would replace the 21-light transom. He stated there were single-hung windows on the two outside openings of the loge, and French doors in the two middle sections. He explained there would be wood windows that would be in compliance with the photograph being shown. He stated the coloring would also remain the same. He stated that the color on the building originally was the purple color.

Chair Christopher Eck proceeded to open the public hearing. There being no individuals who wished to speak on this item, the public hearing was closed and discussion was brought back to the Board.

Margi Glavovic-Nothard asked if the south façade was now going to be exposed. Mr. Bengochea explained that there was now an alley next to the south façade. He proceeded to show the site plan and the location of the

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Colonial Hotel. He stated there was an alley and entranceway between the hotel and the riverfront that would be used for the future project. He stated it was a pedestrian entrance.

Margi Glavovic-Nothard asked if the existing south wall was still intact or had it been removed. Mr. Bengochea stated it had collapsed during the restoration. He explained that there had been a similar hotel next door, and therefore, the façade had no fenestrations on it. Ms. Glavovic-Nothard stated that since there was now to be a pedestrian route through the area were any changes going to be made to the façade. Mr. Bengochea explained they were not planning on making any changes to the south façade, other than to repaint it and make sure it was clean.

Ms. Glavovic-Nothard clarified that the application was actually in regard to restoring the existing window openings and not about renovating the structure. Mr. Bengochea confirmed. He stated if they began opening fenestrations on the south façade, it would take away from the original building since none had originally existed. Ms. Glavovic-Nothard asked if this was a completely reconstructed, no longer historically significant, interior of the building. Mr. Bengochea agreed that the interior of the building was not historically significant and had been totally changed. Ms. Glavovic-Nothard clarified that the building was not contributing beyond the façade.

Mr. Mele stated that was correct, but the alleyway was not a pedestrian entrance but a service entrance. He stated the pedestrian entrance was at the main entrance. Ms. Glavovic-Nothard stated that the area appeared to connect to several areas on the ground floor where pedestrians could walk through.

Chair Christopher Eck stated that on the south side, it showed a portion of the south wall above the loggia having four window openings that still existed, and he asked if those were to be restored. Mr. Bengochea confirmed and stated that the remaining wall would stay the same.

Steve Siskind, architect, stated that the building façade showed clearly that the particular access went to a service elevator for a small restaurant on the second floor. He stated they wanted to keep that as a fire separation, and explained there was a fire exit. He stated it was a service corridor through which pedestrians could walk. He stated this was a dedicated pedestrian street and an important link between the Downtown and the Riverwalk; they were going to enhance the entranceway but did not want to encourage pedestrians into the service area.

Todd Fogel stated that in the original picture the number and name of the hotel had appeared, and asked if that would be on the new structure or would there be a new sign. Mr. Bengochea stated that dates were still on the building, but the name of the hotel was not on it. He reiterated that it had become the Colonial Hotel later on, and the box for the sign was on the building but they were planning on leaving it blank.

Mary-Jane Graff asked why they were going to leave that area blank because it did have historical significance. Mr. Bengochea stated it had been blank when they restored it the first time 10 years ago. Ms. Graff stated if they were going to restore the façade back to its original condition, then she felt it should be included to lend more historic significance to the structure. Mr. Bengochea stated that it could be included and they did not object putting the name of Bivans on the structure. Ms. Graff stated she believed that would be a good idea.

Motion made by Todd Fogel to approve the application as presented with the caveat that W.M. Bivans Hotel be added to the front façade on the empty block at the top of the building. Ms. Glavovic-Nothard asked if the motion could refer to the pedestrian and entry sequence as described by the applicant. She felt that was important. Mr. Fogel agreed. The motion now read as follows:

Motion made by Todd Fogel and seconded by Margi Glavovic-Nothard to approve the application as presented with the caveat that W.M. Bivans Hotel be added to the front façade on the empty block at the top of the

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building, and that the motion refer to the pedestrian and entry sequence as described by the applicant. Roll call showed: YEAS: Mary-Jane Graff, Rachel Bach, Todd Fogel, Margi Glavovic-Nothard, Bill Howard, Carolyn Dandy, Clay Wieland, and Christopher Eck. NAYS: None. Motion carried 8-0.

The Strand at Riverfront

Las Olas Riverfront Assoc. Ltd. Partnership

DRC Case No. 88-R-04

300 SW 1st Avenue

Todd Fogel asked if there had been something brought before the Board in connection with their not doing site plan reviews or recommendations. James Cromar stated that this matter was different because this was being presented as a condition of the Comprehensive Plan. He proceeded to read from Policy 11.2 of the Comprehensive Plan as follows:

“Requires applicants to identify the location, extent, status and proposed impact to historic or archaeological resources.”

James Cromar proceeded to read from Policy 11.3 as follows:

“Requires an evaluation of proposed impacts on historic resources and present that to the Historic Preservation Board.”

James Cromar stated that the other requests for site plan reviews and comments were situations in which applicants had come before this Board prior to submitting a formal application, and asking the Board to comment as a pre-application review. He stated that various legal issues arose in regard to such reviews, and the City Attorney's office decided that this Board should not comment on plans that could come before them for official action at a later date. He stated that this project would not come before this Board for official action, but would have an impact on historic resources, and therefore, they had to comply with the provisions of the Comprehensive Plan.

Todd Fogel asked how they were not to give opinions regarding the building itself, but only its impact. James Cromar stated that the Comprehensive Plan requested that this Board provide comment on the site plan. He explained it was not binding in any way, but the comments would be sent to the City Commission for their review. He stated that was different from when this Board approved a COA. Todd Fogel reiterated that this building was being presented to the Board that they were not voting on, but were reviewing its design, size and massing, and how it would effect the area. He emphasized that there was no formal application. He felt that put the Board in a difficult situation.

James Cromar added that an application would not be presented to the Board because this was not on a landmark site, nor was it a designated landmark, but only attached to one. Therefore, the application would not have to request a COA, and the Board would not vote on one.

Chair Christopher Eck stated that the City was requesting input from the Board in connection with the project's potential effect on adjacent or nearby historic properties.

James Cromar reminded the Board about the matter regarding the Sheppard Building and that comments had been made regarding its design elements. He stated the difference was that the comments could carry weight or influence as the matter moved forward.

Margi Glavovic-Nothard stated she believed it was a good idea because it was an opportunity for everyone to receive feedback before additional monies were spent on its design. Todd Fogel agreed it was a good idea, but

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stated that since it was not an application he did not know how much weight their opinion would hold in regard to the project.

Chair Christopher Eck stated that would be looking into the future and they couldn't do that. He stated that if they were going to move forward, then they needed to establish the order of the speakers, and then comments could be made. He proceeded to give a list ranking the order of the speakers on the project.

James Cromar stated that this was not a formal request for a COA, but was a request for a site plan review and comment from the Board. He stated the project was to be known as The Strand at Riverfront and would be located at 300 SW 1st Avenue. He explained the applicant was presenting a site plan in accordance with Policy 11.2 of the City of Fort Lauderdale's Comprehensive Plan. He further stated that in accordance with Policy 11.3 of the City's Comprehensive Plan, the applicant had to report all proposed impacts on historical resources to the Historic Preservation Board. He added that Ellen Uguccioni would provide an analysis of the developer's evaluation of the impact on historic resources.

Merrilyn Rathbun, Consultant, stated that the developer's representative had identified the following buildings as historically significant in the area and as possibly being effected by this project. She proceeded to describe the buildings that abutted the site.

The Colonial Hotel at 211 Brickell Avenue was built ca. 1922 by the Bivans family and first called the Bivans Hotel. Of the original fabric, only the façade, which had been modified, remains.

The so-called Museum Building at 209 Brickell Avenue was built ca. 1926. The building was originally composed of three buildings. The two buildings located to the north, one of which was built as early as 1918, were connected by a common front with a stepped parapet. The third building had a Mission style parapet with a Spanish tile coping interspersed with decorative morels. The "restoration" of the Museum building bears no relationship to the original or combined appearance of the buildings.

A *Fort Lauderdale Daily News* story dated April 1925 described the building at 201 Brickell Avenue as the new bus terminal under construction. The building was designed by Marion Syms Wyeth, architect, from Palm Beach. It was originally planned as a three-story building, Spanish Eclectic in design with Beaux Arts details. The project was cut back to the present simple form after the 1926 hurricane. It is now generally known as the Tibbets Building.

Ms. Rathbun proceeds to describe the buildings located across Brickell Avenue to the East.

The Bryan Building at 220-230 Brickell Avenue, a locally designated landmark building, constructed ca. 1913, and was listed in the National Register of Historic Places.

Ms. Rathbun then proceeded to describe the buildings located across the FEC Railroad to the West.

Included are the New River Inn at 231 Moffat Avenue, built ca. 1905, the King-Cromartie House at 223 Moffat Avenue built circa 1907, and the Philemon Bryan House at 227 Moffat Avenue built circa 1905. The Old Fort Lauderdale complex (a Fort Lauderdale Historical Society project) met the eligibility requirements and was named a Florida Heritage Site in 2003. The Heritage Site includes the 1905 New River Inn, also nominated to the National Register of Historic Places, and the 1905 Acetylene Building, a part of the National Register Nomination, along with the 1907 King-Cromartie House and the 1905 Philemon Bryan House. Non-contributing properties on the Heritage site are the 1899 replica schoolhouse and the Hoch Heritage Center.

Ms. Rathbun proceeded to describe the buildings across the FEC Railroad to the Northwest.

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The Tom Bryan Building at 201-231 SW 2nd Street, which was built ca. 1926. This building was designed by noted architect Francis Luis Abreu.

Ms. Rathbun continued, stating that all of the above-listed buildings had local or national designation (unless otherwise noted) or were part of a recognized historic district (H-1 District). In addition to those buildings, there were others which did not have designation but retained some historic significance and character that should be considered in this review. She proceeded to describe such buildings.

The nine-story Sweet Building (One River Plaza) was built ca. 1925-26 as the home of The Fort Lauderdale National Bank. Because of its then extreme height, it was known as Fort Lauderdale's first skyscraper. In 1929, the building was sold to businessman William L. Sweet, Jr., hence its historic name. Originally the building was built with street-side storefronts set in arched openings and a 1-½ story arched entry with elaborate stucco ornamentation in the Spanish Eclectic or Spanish Colonial style. A few years ago, the building was "modernized" and all of the ornamentation had been removed. In addition, the main entry was obscured by the placement of the new Andrews Avenue Bridge. Little of the building's historic character remains, except for its nine-story height, which has been used as a benchmark for "historic" multi-story construction in this historically sensitive area.

Ms. Rathbun further stated that two other buildings with historic character that needed to be considered were: the McCrary's Building on South Andrews Avenue, a 1936 building, restored in 1998, which housed a 5 and 10 cent store, along with the Weidling Building, which was now an architect's office on West Las Olas Boulevard (Wall Street). The Weidling Building was built in 1916 by U.S. Cayot for C.P. Weidling, Sr. In addition to being the town's first attorney, Mr. Weidling was the publisher of *The Fort Lauderdale Herald* (established 1913) the town's second newspaper and one of the precursors of today's *Sun-Sentinel*. She stated that the building housed the newspaper from 1920 to 1925. In later years, Weidling's son Carl, Jr., ran an illegal card room on the second floor. The building was then converted to a movie theatre, The Rex, which became known as The Queen Theatre. The theatre fell on hard times in the 1970s when it became an "adult" movie theatre. It was rescued in the early '80s by architect Donald Singer.

The Weidling Building was constructed of poured concrete with stucco wall cladding. It is commercial vernacular in style with a curvilinear gable and stucco detailing, including a raised letter "W" set in a roundel with a raised molding in the center of the gable. There are two large rectangular windows on the second floor, and originally there had been a traditional storefront on the first floor. Mr. Singer made some modifications to the building and the storefront was replaced with a recessed entrance and a curvilinear glass brick wall. The upper story windows were replaced with modern fixed windows. However, the fenestration remains the same. The panel retains the decorative raised stucco panels separating the windows. Much of the historic character of the 1916 design had been kept.

Ms. Rathbun explained that the developer had modified his proposal from an earlier design and is now planning to build two towers, one 25 stories and the other 36 stories on the site. They would be located where the present Las Olas Riverfront movie theatres now stood. The present façade of the theatre building would be modified, but would remain essentially the same. She advised that the proposal would conceal a 6-story parking garage that would be the base of the two towers. She stated that as far as the Historic District (H-1) was concerned, the sensitive area of the proposed development was the west façade. Both towers are stepped back from the west façade and the taller of the towers was further stepped back to the east of the line of the shorter tower. The footprint of the two towers was relatively small in relation to the footprint of the theatre building.

Ms. Rathbun continued stating that the design of two comparatively small (footprint) towers of varying heights, instead of one massive tower, was desirable. The proposed Fort Lauderdale Consolidated Downtown Master Plan recommended the use of "multiple slender towers instead of wall buildings to maintain light and view

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corridors." The Master Plan also indicated that there should be a distinct visual separation between the towers. However, the height limitations associated with Riverwalk do not effect this project since the site was not within 100 feet of the New River. Confining the towers to the northwest section of the site would also minimize the impact on the sensitive 1905-07 buildings of the "Old Fort Lauderdale" historic site, i.e. the New River Inn, the King-Cromartie House and the Philemon Bryan House.

Ms. Rathbun advised that the developer had provided a shadow study for the project in which the impacts to the nearby buildings of the historic district to the west appeared to be nominal, but shade in the early morning could impact the buildings of the "Old Fort Lauderdale" site, and would surely impact the Tom Bryan Building on SW 2nd Street during the Winter Solstice. To the east, there would be shade impact in the late afternoon to the Weidling and McCrory's buildings during the Summer Solstice. She stated that this Board was to review and comment on the project.

Ellen Uguccioni, Janus Research, stated that they had been contracted by the City due to the provision in the Comprehensive Plan that required a review by this Board when there was development and its impact to historic resources. She stated that there were a number of tasks they had to perform to identify what the historic resources were, what the area of potential effect would be, and what the effects might constitute. She stated that the proposal that the Board had not seen was comprised of one massive building. Therefore, there had been some substantial changes to the design of this project.

Ms. Uguccioni stated that the way they went about establishing the determination of impacts as based on the Federal Government's analysis of the situation through the National Historic Preservation Act of 1966. She stated that Section 106 of the NHPA addressed impacts to historic buildings and generally was used when Federal monies were involved in a project that could effect historic resources. She stated that her job was to evaluate Art Bengochea's report. She stated that she and Merrilyn Rathbun had extended the area of potential impact that was addressed in his report because it made sense to do so. She proceeded to show the location on the map of the buildings that could be impacted. She advised that their company had also submitted a written report on this matter.

Ms. Uguccioni further stated that she had used the shadow study in regard to the area of potential effect, which indicated indirect impacts on the historic buildings. She continued stating that their study concluded that the project would not impact the resources that were considered historic. She stated the only building that would be directly impacted would be the Colonial (Bivans) Hotel.

Ms. Uguccioni stated she had spoken about some concepts in regard to buffering. She stated that the railroad tracks separated the development from the historic district. She stated the corridor acted as a substantial edge for the historic district, and in her opinion, the heights of the towers would not be a detrimental effect to the historic buildings in terms of direct or indirect effects.

Dennis Mele stated that he wanted to review some of the history as to how they had reached this point in the project. He stated this was not a typical application for the Board to rule on, but they had been asked to appear before the Board due to the provisions in the Comprehensive Plan. He stated that changes had been made to the project that had significantly reduced the impacts to the historical resources. He stated that in one case a significant improvement had been made, and stated that the Tibbets Building could not be viewed as things existed today. He explained that with the new proposal and the increased setback on 2nd Street that was significant, there would be a better view of the Tibbets Building. He added that landscaping would also help to create a better setting than what existed today.

Art Bengochea, architect, stated that when they had first begun this project, the original building had been one large monolithic block in the middle of the building. After many meetings, it had been determined the best way to proceed was to divide the buildings into two structures. He stated the base was still the same (7-story base),

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but they added the two towers above the base. He explained that they had also increased the setback off SW 2nd Street to create a pocket park. He stated further that they had also increased the rear setback for the taller structure in order to minimize the impact of the height against the historic resources. He proceeded to show the view if one was standing in the historic district looking east. He showed the existing movie theatre and stated there was an easement along the bottom portion due to a large drainage pipe running underneath that portion which was an outfall into the New River. He stated that with the new proposal, the corner opened up and the rear façade of the Tibbets Building was now opened. He remarked that the front and rear had the same detailing, but the current door structure was not the same. Hopefully, they would be able to do the rear elevation of the building at some later date.

Mr. Bengochea stated that the developer had been working with the City staff with massing that was more compatible with the area to have shadows that would be less damaging to any of the neighboring structures. He stated they were deliberate as to how the buildings were designed in order to minimize any impact of shadowing to the Bryan Building and any of the buildings listed on the National Register. He stated the base of the building was nicely articulated along the railroad façade. He stated that now it was a monolithic wall. He explained there would be a series of arches on all levels and fenestration openings with the use of shutters, piles, and columns, which would give it more of a sense of scale. He stated that not much could be done on the ground floor due to the easement.

Steve Siskind proceeded to show pictures of the area. He further stated they had been the original architects of the Las Olas Riverfront building and had been subject to things that could not be changed, such as the building being solid because it was a theatre and no penetration or articulation could be done. He stated the area was now more open. He explained the building had been built right on the sidewalk, but they were able to change the nature of the building and was now more open. He stated when the building had first been built they had only been permitted a small amount of landscaping for the area, but things changed with FEC now because they wanted to encourage the idea of a transportation corridor. He stated further that they looked at the area as one came over the Riverwalk from the historic area. Now, they were able to have 25 feet of landscaping with a small fence that could be more intensive and varied, and that would be subject only to sight triangle regulations. He added that as part of this development, they were able to erect a wall along the FEC corridor where the rear service access was located, along with landscaping, to screen out the area. He stated that these changes arose because a lot of the concepts they dealt with during the re-evolution of this building was to change the nature of how the buildings looked.

Chair Christopher Eck asked if anyone in the public wished to speak on this item. The Assistant City Attorney stated that since this was not a quasi-judicial hearing, no individuals would have to be sworn.

William Crawford, Jr., President Fort Lauderdale Historical Society and member of the Broward County Historical Commission, stated he was not speaking on behalf of those organizations this evening, but as an individual. He stated that Old Fort Lauderdale Village and Museum was a property of the Fort Lauderdale Historical Society and was directly across the railroad tracks from this massive project. He stated the buildings were only 2-3 stories and he proceeded to list the buildings. He proceeded to show the original plat of the Town of Fort Lauderdale as platted in 1896 by William and Mary Brickell and Henry Flagler. He explained that it was a one square mile plat, and running north/south through the middle was the Florida East Coast Railway, with the New River flowing through generally west to east. He explained that this was a very important and significant historic site. He added that the building was important but the intersection had been the very epicenter of the beginnings of the growth of the modern town of Fort Lauderdale.

Mr. Crawford further stated that over the last 5 years, the Fort Lauderdale Historical Society had raised over \$5 Million in cash and in-kind services to preserve these buildings. He stated they were concerned about the size of the buildings in this project. He stated across the tracks were uniform two-story buildings near 100 years of age, and this proposed project would consist of buildings 25-36 stories, plus a 6-story garage. In addition to the

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height issue, he stated that some of the construction impacts over the next 2-3 years would be the destruction of their operations. He stated it cost them about \$40,000 per month to run the Historical Society, and added that they were concerned about construction debris effecting Old Fort Lauderdale, along with the parking issue. He added that he was very concerned about the survival of the Fort Lauderdale Historical Society if these problems could not be resolved. He further stated if one looked carefully at the mechanicals of the project located on the west side of the project, it raised concern about noise factors. He stated if one drove past the Waverly at the time the generators kicked in to power the ventilators, the car would actually rattle. He stated he was also concerned about the screening and façade issues.

Mr. Crawford stated it was important to maintain the ambiance of the area besides concern over the physical effects on the structures. He further stated that over 5,000 school children visited their buildings. He stated the Board had not yet taken a position on this due to the fact they had just received the plans of the project recently and were still reviewing them. He added that Terry Sjogren, Member of the Board of Trustees of the Fort Lauderdale Historical Society, agreed with Mr. Crawford's comments as an individual.

Dennis Mele stated that staff's memorandum had discussed the two sections of the Comprehensive Plan that were relevant to this item which were Policy 11.2 and Policy 11.3. He stated they had complied with the requirements of such policies and the consultant showed that the direct and indirect effects were appropriate and would not be harmful to the surrounding buildings. The City's Consultant also stated that there would not be any detrimental effect on the buildings.

Mr. Mele further stated that today the entire Riverfront project had no parking because all parking was satisfied in the County's garage at the northwest corner of SW 2nd Street and SW 2nd Avenue. In this project, the residential building would provide 100% of all parking necessary for residents and guests within the building. He added that one of the big problems at the Las Olas Riverfront was that the movie theatre was not compatible with surrounding businesses. He added that the Regal Theatre was no longer there, and the new company was doing poor receipts each month and were getting reductions in rent. He felt the students visiting the area would be better off with a residential building at the location. He added that the City had a process dealing with construction mitigation and they would be subject to those regulations.

Mary-Jane Graff asked what the restrictions were in the Downtown regarding height of buildings. Mr. Mele replied that in this zoning district there was no maximum height. Mary-Jane Graff stated that the project appeared much taller than even the existing buildings in the area. Mr. Mele stated that other buildings in the same district were taller, but this district was the most intense of all the RAC districts and had no height limitations.

Margi Glavovic-Nothard stated that Mr. Bengochea had referred to a pocket park. Mr. Bengochea proceeded to show the location of the park on the site plan. Ms. Glavovic-Nothard stated that they did not have a landscape drawing, and asked for some further clarification of the area south of the proposed park. Mr. Siskind stated that the building was confusing because the west side had a permanent 20' x 25' easement, and the park would be located in the middle of the area and nothing was behind it for about 25 feet. Ms. Glavovic-Nothard stated that there was open space up to the lift station. Mr. Siskind replied that it was a driveway entrance into the service bay of Las Olas Riverfront. Ms. Glavovic-Nothard clarified that she was referring to what was east of the driveway entrance. Mr. Siskind explained there was the park area and the entrance for the parking going into the building. He stated the first 40 feet of the setback would be the park, and then there would be a water feature further back. Ms. Glavovic-Nothard stated that she was focused on this area because they had referred to the Master Plan as a guideline in designing this project. She reiterated that the Master Plan referred to limitation of curb cuts to increase the pedestrian realm and to bring further activity to the street level, and on the entire SW 2nd Street there were no pedestrian entrances or activities. She stated the main goal was to have a connection to the Himmarshee area. She felt the pocket park was just another open area that did not encourage anyone coming to it and did not tie into the building use, and felt it would discourage pedestrian use.

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on the street. She further stated that there were five separate car entrances and exits onto SW 2nd Street. She stated that she realized they had to accommodate the easement for two of those, but asked if there was some way they could have arrived at a programming use to make the area more pedestrian friendly. Mr. Siskind stated that the evolution of this design had begun with one of the first projects that had gone through the entire design review team process. He stated that to understand the Master Plan, it was essentially a recommendation and was designed for the core of the City. Ms. Glavovic-Nothard announced that she had been Vice-Chair of the Master Plan Steering Committee for three years.

Mr. Siskind further stated that the unique aspect of this site was that it was like a cave in the middle of circumstances. He stated the railroad was one circumstance with its noise, along with the easement that was directly adjacent. He stated the second side of the project where they had discussed the Bivans Building was one of the most important pedestrian links, and they had left the area intact. Therefore, one of the pedestrian aspects they had taken into consideration for the building was the entire effect of the Riverfront Building as it existed, including the hotel, which gave an enhanced pedestrian aspect. He further stated the idea was to open up the Tibbets Building to be the prominent visible aspect. He stated that due to the tightness of the site, there was no way to make a meaningful retail or other element. Therefore, they had accepted the recommendation made by the Master Plan Design Review Team.

Ms. Glavovic-Nothard asked if there was any opportunity to share the use of the easement through vehicular access. Mr. Siskind replied that the particular entrance was used for delivery and trash vehicles, and the remaining portions of the Riverfront would remain intact.

Ms. Glavovic-Nothard further stated that the issue of height could be mitigated when the ground worked. She stated it was hard to feel comfortable with a project when there was a lot of height and difficult ground. She stated the area they had focused on for pedestrians was the area that was most vibrant today, but in reviewing the impact of the project in regard to scale and size, it was much greater than the small street it appeared to be impacting. She further stated that she was not getting the ground resolved, but still had the height, and therefore, those two things were not helping the project. Mr. Siskind stated that the black and white model studies that had been provided were a process they had done in regard to a dozen different buildings, as opposed to the first building that had created a lot of negative interest. Out of the process, a new process came out and they began to make the building more acceptable through the Master Plan process. He explained that what the Master Plan had stated regarding a residential site was that one went to the shoulder height, which was a maximum of 85 feet with a stepback of about 20-30 feet, and one would end up with a building of 48 stories with a narrow plate. He stated that one of the recommendations made by the design review team could have been a pencil-like building. He added that they had looked at the various types of buildings before arriving at the proposed project. He did not feel it was a compromise, but the ideal solution to resolve the Master Plan ideals. He stated they had rejected the taller structure because it was unacceptable, in their opinion as architects, for the area.

Mr. Mele stated that in reviewing this project, he had seen the planners and engineers battling their problems.

Ms. Glavovic-Nothard asked why they could not give something back to the public, such as a restaurant or park at the top.

Todd Fogel stated that he was concerned about the impacts, and asked if the consultant could elaborate on Mr. Crawford's concerns regarding construction impacts. He added that he was also concerned about the protection of the current buildings, along with the noise.

Ms. Ugucconi stated that in regard to the 200 Brickell item, the consultant had addressed a sophisticated way of protecting the buildings from construction debris. She believed the item was fully explored and felt the City would have to take that into account, and they had made the recommendation for a construction monitor on the

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site to ensure that aspect of the project would be controlled. Todd Fogel asked if such monitor would be provided in regard to this project and he believed it should be mandatory. Mr. Mele replied they would agree to that condition. He added there would be no pile drivings.

Bill Howard stated they had handled the real problem with their report when they stated: "...this report claims only a narrow focus..." and he felt that was the smallest part. He asked what other thoughts the consultant might have regarding impacts to the area. Ms. Uguccione stated that one of the sad things, which she did not have a solution for, was that they had to deal with the integrity of the area as it presently existed. As they went through each building, they had described whether there was historic integrity, but the area did not convey the 1890s sense it had when the FEC Railroad had come through, and to address it from what it was and not what it was now, would be an inappropriate response to the requirement to review the impacts.

Bill Howard felt it magnified and focused on the bigger problem of the project. He further stated that the project made a more economical use of the land, but his problem with the report was the narrow focus. He felt it was like "smoke and mirrors" and focused on items that could be addressed, but by doing that they would overlook the entire impact that they could not get involved in.

Rachel Bach stated she was concerned how this building would relate to projects that would be proposed for the area. She realized that Broward County was proposing some substantial changes at the Government Center. She stated that she wanted to know how tall this project was to be in comparison to the project being proposed across the street. Mr. Siskind proceeded to show a diagram of such building and stated that it would be approximately 17 stories, and would be next to the 25 story building. Rachel Bach further stated that the two towers were better than one large building, but she was concerned that there should be some sort of height transition between this part of the City Center and the H-1 District where the buildings were located.

Chair Christopher Eck stated they had a limited scope to comment on in regard to this project. He continued stating that in asking this Board to review this project as an impact to adjacent and nearby historic resources, he felt there were greater effects from this large a complex. He stated that it was in an area of unlimited height, but there was also an element of compatibility that was being superceded. He stated it was not that tall buildings could not exist in a Downtown and due to the pressure being put on the City such projects were going to continue coming forward, but in terms of adjacency to smaller historic buildings he felt it was grossly disproportionate. In looking at the Riverwalk Master Plan as devised in the 1980s, the suggestion was to keep new construction to four stories. He added that this project exceeded that several times over. He stated if the City still maintained such philosophy, than there appeared to be little relevance at this time. He felt that caused a diminishment of the sense of place of the Downtown, which was what Mr. Crawford and other members of the Board had mentioned. He felt the historic district was being nibbled at, and slowly over time the area would diminish. He stated there had been slow erosion over the last two decades, and he felt it was important to make such a comment.

Chair Christopher Eck further stated that if they were considering what other cities did in such circumstances, he wondered whether they would allow such a building to be erected near historic buildings that led to the integrity of the City's history. He felt such comments should be noticed. He reiterated that tall buildings were not bad and the landmarks of the future were created by the buildings of today. He recognized that all old things did not survive, but how they designed buildings of today would be how they would stand the test of time.

Mr. Mele stated that they had looked at compatibility because such a provision existed in the Code, but it did not apply in this case because it was originally drafted to deal with issues effecting residential neighborhoods, as opposed to a historic area. He stated the City had one of the most comprehensive land development codes with difficult sets of rules, and everything could not be covered.

Mr. Siskind stated that there was an edge to everything. He stated the tallest buildings in Coral Gables were

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across from two-story buildings because that was how the zoning had been set up in order to start a new set of circumstances. He further stated that in the historic district of Miami Beach, all corridor hotels that line the ocean were across the street from 2-3 story buildings. He stated that whoever invented the RAC-CC district might have envisioned this. He stated further that one of the important things that came out of the Master Plan as they interpreted it were the items such as how to preserve what existed next door, along with the City's most important investments. One of the most important investments was the Riverwalk. He stated their tower would be 293 feet from the Riverwalk. He stated that the comment as to how this area was intended to work, which had been violated in some areas, was to go up 3-4 stories and go back about 80 feet.

Margi Glavovic-Nothard asked for some further clarification regarding the trucks. Mr. Siskind proceeded to show a diagram of the service alley. Ms. Glavovic-Nothard asked how many units would be in the project. Mr. Siskind replied there would be 253 units.

Rachel Bach left the meeting at approximately 8:15 p.m.

Margi Glavovic-Nothard further asked if there would be any other mixed use. Mr. Siskind stated it was considered an urban concept, but added they were not going to have any other commercial uses.

Introduction of New Board Member

James Cromar stated that two new individuals had been appointed to this Board who were Bill Howard and Tom Welch.

Bill Howard stated that he was born in Cleveland, Ohio and had lived in Chicago and learned to appreciate architecture. He stated that he had moved to this area about 20 years ago and wanted to have his opinions heard regarding how individuals and groups could impact the growth and character of the City.

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For the Good of the City

Southside School Update

James Cromar stated that on Saturday, July 17, there would be interior clean up at the Southside School, along with exterior painting. He stated the actual renovation would come before this Board for formal action. Chair Christopher Eck stated that it was to be a primer coat to seal the exterior building fabric and not a paint scheme as of this time.

Commission Items

Case 8-H-04 – Pat Moss

James Cromar stated that last Wednesday, July 7, the Commission had voted to hear Case 8-H-04 regarding the Pat Moss property, which this Board had denied the application for COA's for demolition, relocation and new construction. He stated this matter was scheduled for September 8, 2004. A mail notice would be sent 30 days prior to the hearing to property owners within 300 feet.

Properties to be Considered for Designation

James Cromar stated that the Commission requested that he contact five property owners of the structures on the list that the survey consultants had recommended for historic designation. Mr. Cromar continued, stating that at the July 20 Conference Agenda meeting, he was going to present an update to Commission on his discussions with the five property owners. He stated those properties were Progresso Plaza, The Floridian, The Yankee Clipper, McCrory's and the Schubert Hotel. He advised that Progresso Plaza had received designation last year. He stated that the owner of the Schubert Hotel was looking into getting designation. He further stated that the owners of The Floridian, Yankee Clipper and McCrory's did not want historic designation.

50-Year Rule

Chair Christopher Eck stated that he had asked that this item be placed on the agenda for discussion because they had often faced the issue where some areas, such as SBHD, had an era of significance, but properties were being considered elsewhere in the City that were 50 years old. He felt it was arbitrary and felt they should review buildings that met other criteria.

Margi Glavovic-Nothard stated that it appeared logical and asked if some sort of example could be supplied.

Chair Christopher Eck stated that in revising the SBHD ordinance of the overall historic preservation ordinance, that instead of stopping the era of significance at 1940, they would look at buildings built 50 years before the present time. He felt there should be a more flexible standard as time progressed so the eligibility for what might be considered historic could be expanded. Otherwise, they could be freezing buildings that should be considered as contributing buildings to a historic district. He stated that at the County level and in other cities, other criteria were added besides the 50-year rule.

James Cromar asked if the 50-year rule in the County was in regard to designation. Chair Christopher Eck confirmed and explained that a building had to be 50 years or older but also had to meet other criteria. If a building met other criteria but was less than 50 years of age, then it could be considered such as a building the first of its type.

Todd Fogel stated he was always opposed to the 50-year rule because sometimes things built after that had historical significance, and he did not think they should be limited. He suggested that other criteria be added to

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the ordinance.

Chair Christopher Eck stated there could be different ways to address the situation, but he did not feel it could be left open-ended.

The Assistant City Attorney suggested that they could add to the criteria as long as the 50-year rule would not be exclusive.

Chair Christopher Eck stated that there should be additional criteria besides the 50-year rule.

The Assistant City Attorney stated that the SBHD was created as a result of a study that came up with the period of significance, which was 1930-1940. She stated it would be difficult to amend the ordinance without going back and doing another study to complement the original study. Instead of trying to change what was in that district now, if one went outside of the area to the general criteria for designation that included a flexible 50-year rule, they could then specifically designate properties that were historically significant on their own without being part of a specific period as determined in the SBHD.

Chair Christopher Eck stated that the City should consider amending the original study by conducting another one to survey the buildings built after 1940.

Margi Glavovic-Nothard asked if it could apply City-wide. Chair Christopher Eck stated it would be City-wide.

James Cromar stated that the Commission had invited neighborhoods to organize themselves and come forward with a consensus regarding an approach to various issues.

Margi Glavovic-Nothard stated that this Board felt this was important and wanted it to be included as a recommendation to the Commission so as to proceed in an appropriate manner regarding these issues.

James Cromar suggested that this Board crystallize this discussion and possibly submit a more formal recommendation in the future.

Todd Fogel stated that the neighborhoods would need help on this and asked if the Broward Trust could assist them.

Chair Christopher Eck stated that both were non-profits and would be eligible to apply for grants to the State for surveys and registration.

Limiting of Presentations

Margi Glavovic-Nothard stated that other boards limited presentations and suggested that this Board explore that issue. Chair Christopher Eck stated that people normally agreed to that, and he realized that tonight many individuals had things to say and felt it was not the time to do that. He stated that he did agree with such a recommendation.

Motion made by Margi Glavovic-Nothard and seconded by Clay Wieland to adjourn the meeting.

There being no further business to come before this Board, the meeting was adjourned at approximately 8:41 p.m.

CHAIRMAN

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Christopher Eck

ATTEST:

Margaret D'Alessio
Recording Secretary

A mechanical recording is made of the foregoing proceedings, of which these minutes are part, and is on file in the Historic Preservation Offices for a period of two (2) years.