

HISTORIC PRESERVATION BOARD
City of Fort Lauderdale
Monday, August 1, 2005- 5:00 P.M.
City Hall
First Floor Conference Room
100 North Andrews Avenue
Fort Lauderdale, Florida

<u>Board Members</u>	<u>Present / Absent</u>	<u>From January 2005</u>
Carolyn Dandy	P	5-2
Mary-Jane Graff	P	6-1
Nolan Haan	P	2-0
Bill Howard	P	6-1
Daryl Jolly, Vice Chair	P	6-1
Margi Nothard	P	5-2
William Saunders, Chair	P	7-0
Tom Welch	P	7-0
Clay Wieland	P	5-2
Edith Colden	A	0-1

Staff Present

James Cromar, Planner III, Staff Liaison to HPB
Michael Ceisielski, Planner II
Merrilyn Rathbun, Fort Lauderdale Historical Society, Consultant to HPB
Assistant City Attorney
Liz Holt, Acting Principal Planner
Jamie Opperlee, Recording Secretary

Call to Order

Chair Saunders called the meeting of the Historic Preservation Board to order at approximately 5:05 p.m. Roll call was taken with the following Board Members being present: Ms. Dandy, Mr. Haan, Mr. Wieland, Ms. Graff, Chair Saunders, Mr. Jolly, Ms. Nothard, Mr. Welch, and Mr. Howard.

Approval of Minutes June 6, 2005 Meeting

Mr. Haan stated that the City Commission had overturned the HPB's vote on the property at 307 SW 12 Avenue at their last meeting. Commissioner Hutchinson commented that there were no criteria cited to support their vote. Mr. Haan remembered citing three criteria and asked that these be included in the minutes. Mr. Haan also protested the HPB's minutes being used at a Commission meeting prior to the HPB's approval of the minutes.

Mr. Haan listed the following criteria: 47-24.11.C, concerning the height and 47-24.11.C, concerning the open space. He noted that there was another subsection concerning the mass of the building and its visual relationship to the other historic structures in the neighborhood: 47-24.11.C.3.c.iii. Mr. Haan said that the Board members voting against the project referred to these sections to explain their votes.

Mr. Cromar said he would listen to the recording of the meeting to confirm Mr. Haan's statements.

The Assistant City Attorney informed the Board that they could approve the minutes with the corrections.

Motion made by Mr. Howard, seconded by Ms. Graf, to approve the minutes of the June 6, 2005 meeting as amended. In a roll call vote, the motion was approved unanimously.

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

I. Cases

- 1. Applicant: Scott Lanza Case No. 39-H-00 (SB)**
Location: 800 West Las Olas Boulevard
Request: Certificate of Appropriateness for Alteration:
 - Installation of brick paver driveway and patio (AFTER THE FACT).Zoned: RML-25
Legal: Bryan's Subdivision of Blocks 33 and 64, Fort Lauderdale. A portion of Lot 1. P.B. 1, P. 29 (D).

Mr. Cromar informed the Board that Pursuant to Section 47-17.4, this item came before the Board as an administrative approval item for 15-day review, during which time one of the HPB members requested that the Board review the application. He advised the Board to consider the General Criteria for granting Certificates of Appropriateness as listed in Section 47-24.11.C.3.c.i.a-f, and additional guidelines for alterations as listed in Section 47-24.11.C.3.ii. He added that since this property in question was located in the Sailboat Bend Historic District (SBHD), the Board should also consider the Material and Design Guidelines for the SBHD as listed in Section 47-17.7.

Ms. Rathbun stated that the applicant was asking for a COA to install brick pavers on a driveway and patio. She noted that pavers and other types of drive and walkway surfaces were not specifically addressed by the SBHD Materials and Design Guidelines, but the HPB had previously determined that similar the use of pavers was appropriate in the SBHD.

Mr. Mike Kinoyer, Earth Works landscape contractor, explained that the pavers were for the walkways only; the driveway was already there. He said that the renovation was to the landscape and walkway.

Ms. Nothard asked whether the replacement walkway was in the same area as the existing one. Mr. Kinoyer confirmed that this was correct.

Mr. Haan stated that he was the Board member who had called up this item to be heard by the HPB. He said that the original project included requests for setback modifications to accommodate a much larger building. He added that in this case, the driveway size was increased by perhaps one foot and a patio, walkway and fountain had been added. Mr. Haan continued, stating that after people moved in to new buildings, they often wanted to add these things. He said that he thought that the HPB should start "looking at the project as a whole

knowing that these people are going to be doing this, and deciding whether we want to award setback modifications or not.” He said that there now was a lack of green space surrounding the building.

The Assistant City Attorney pointed out that this application had already been approved by the City’s Landscape Department. She added that landscape issues were not properly before the HPB or that landscape regulations were not a topic they should discuss or use to determine how to vote on an application.

Mr. Haan asked whether the Board should simply approve everything if it passes the City level review. The Assistant City Attorney stated that the HPB should apply the criteria for Certificates of Appropriateness in Section 47-24.11.C of the ULDR with the separate subsections for demolition, new construction, renovation and alteration. She added that the ULDR lists additional criteria for historic districts such as the Sailboat Bend Historic District.

Chair Saunders proceeded to open the public hearing.

Mr. Richard Locke said that he thought it “impossible that this Board would consider such tiny changes.” He added that the lot used to be filled with trees and lined by palms. He continued, stating that there were nine single-family historic properties surrounding this property and that he thought that this property “totally violated the compatibility rules in many aspects.” Mr. Locke said that he thought that the Board had accepted this “monstrous project” and were now spending time with this “piddling little thing” while they were “ruining the environment with these huge condos.”

Mr. Locke continued, saying that Commissioner Hutchinson had stated at the last City Commission meeting that, “This process is broken,” for the Sailboat Bend Historic District. He said that he thought that this case was one example of that. He added that this issue must be addressed and repaired to the satisfaction of the City Commission and the majority of the residents living in historic homes in Sailboat Bend.

Mr. Locke added that the Secretary of the Interior’s landscaping guidelines were incorporated by reference in 47-24.11.C.2 and that these applied to Sailboat Bend.

There being no others present wishing to speak on the item, Chair Saunders closed the hearing and brought the discussion back to the Board.

Ms. Nothard said that the HPB did not decide what cases came before them.

Motion made by Ms. Nothard, and seconded by Mr. Jolly to approve the application as presented. Roll call vote showed: Yeas: Ms. Dandy, Mr. Haan, Mr. Wieland, Ms. Graff, Mr. Jolly, Ms. Nothard, Mr. Welch, Mr. Howard, Chair Saunders. Motion approved (9-0).

Ms. Nothard said that she wondered if, in the future, the Board should be provided with more information about the larger project to consider the broader impact of these requests on the surrounding neighborhood. Mr. Cromar explained that information on the larger, original project was available and could be provided to the Board. He added that in this case, he had provided the Board with the information that the Building Services typically requested for this type of application.

2. Applicant: Las Olas Company **Case No. 29-H-99**
Himmarshee Court
Location: **717 SE 2 Street**
Request: Certificate of Appropriateness for Alteration:

- Addition of two light poles on west side of parking area.
- Addition of wall-mounted light fixtures on west and north elevation.
- Replacement of two niches with windows on south elevation.

Zoned: RAC-EMU
Legal: Beverly Heights. Block 4, Lots 4, 5 & 6
P.B. 1, P. 30

Mr. Cromar advised the Board to consider the General Criteria for granting Certificates of Appropriateness as listed in Section 47-24.11.C.3.c.i.a-f, and the additional guidelines for alteration found in Section 47-24.11.C.3.c.ii.

Ms. Rathbun stated that the applicant had returned to the Board to request a COA for light poles and wall-mounted lighting. She said that the lighting style specified by the applicant was a colonial style gaslight replica. Ms. Rathbun stated that this style was inappropriate for the building. She said that street pole lights of the period usually had a simple glass globe and metal finial. Ms. Rathbun added that this type of reproduction lighting was available

Ms. Rathbun further stated that the applicant was asking to fill two niches on the south wall with windows, retaining the niche configuration. Ms. Rathbun felt that ideally it might be better to retain the blank surface in the niches but noted that one test of an alteration was to ask if it could be easily reversed. She said that in this case the answer was yes, so the alteration was appropriate.

Ms. Rathbun advised the Board to consider the criteria for Alterations, new construction or relocation in Section 47-24.11.C.3.c.i.c, and 47-24.11.C.3.c.ii, iii, and iv.

Mr. Bo Tao, the project architect, pointed out that one of the niches had been an exterior door and another had been some sort of opening. He said that they wanted to mimic the look of the two windows in the building and allow more natural light into the building. Mr. Tao clarified for Chair Saunders that during construction, they had realized that the wall behind the niche was not solid.

Ms. Nothard asked if they had considered age-appropriate light fixtures. Mr. Tao said he had spoken with Ms. Rathbun and they now wished to retain the existing light fixtures. He noted that the current fixtures spilled light on the adjacent properties and the new ones they had chosen had a piece that could be used to control the light a bit better. He added that if the Board preferred that they keep the existing fixtures, Mr. Tao would agree to do that.

Chair Saunders proceeded to open the public hearing. There being no one present wishing to speak on the item, Chair Saunders close the hearing and brought the discussion back to the Board.

Ms. Graff said that she thought the Board should utilize age-appropriate fixtures and asked if lowering the wattage would help the light spillage situation. Mr. Tao said that he had included a photometric study in the Board's package and noted that lowering the wattage would result in insufficient lighting in the parking area. Mr. Tao described the proposed replacement fixture to Mr. Haan.

Chair Saunders said he was on the Board when the original project was approved and was happy that the building would be preserved and be useful again. He said that the minor changes did not detract from the overall restoration of the building.

Mr. Tao said that they would retain the existing light fixtures if the replacement fixtures would jeopardize the Board's approval.

Ms. Nothard said she wanted to stipulate that the existing light fixtures be retained. Mr. Cromar said that the zoning plans reviewer had considered the photometrics for the proposed lights, not the existing ones. He said that if the Board stipulated that the current lights be kept, the applicant would need to provide a new photometric study that complied with the requirements of Section 47-20.14 of the ULDR. Ms. Nothard agreed to indicate in the motion that whatever light fixture was used, it must meet the code requirements. Mr. Tao agreed to submit photometrics on the existing light fixtures and to retain them if they met the code requirements.

Mr. Jolly disclosed that he was one of the subcontractors working on the site. The Assistant City Attorney informed Mr. Jolly that he should abstain from the vote.

Motion made by Ms. Nothard, and seconded by Mr. Haan to approve the application with the stipulation that the light fixtures meet City code requirements regarding photometrics. If the existing light fixtures were found to meet the code requirements, they may be retained. Roll call vote showed: Yeas: Ms. Dandy, Mr. Haan, Mr. Wieland, Ms. Graff, Ms. Nothard, Mr. Welch, Mr. Howard, Chair Saunders. Motion approved (8-0). Mr. Jolly abstained.

II. Other Business

III. For the Good of the City

Mr. Cromar announced that the city was in the process of obtaining Certified Local Government (CLG) status for Fort Lauderdale, which would allow the City to apply for more grants for historic preservation and would give the City more authority from the State. He requested updated resumes from Board members to help complete the CLG application process.

Mr. Cromar said that he had received a phone call from the owner of a property on the State's Master Site File. He added that the property owner said she owned the house located at 500 SW 8 Street and her brother owned the house at 424 SW 8 Street. Mr. Cromar said that these properties did not have historic designation and were not in the Sailboat Bend Historic District. He said that the owner intended to sell the properties within the year and wanted to offer the houses to anyone interested in possibly relocating the houses.

- Proposed amendments to the Comprehensive Plan (Historic Preservation Element - Goals, Objectives and Policies).

Liz Holt, Acting Principal Planner, explained that she was presenting an Evaluation Appraisal Report of the 1999 plan, not an amendment to it. She said that after suggestions for changes were made, the next year would be spent developing the new goals and objectives and incorporating them into the plan. She continued, stating that the City had sent the preliminary report to the State for review and comments, and that the comments were underlined in Exhibit 1 in the memo.

Mr. Haan asked if the City derived any benefit from having a historic district. Ms. Holt stated that State and County roadway improvements must consider historic districts and structures. Mr. Haan asked if there was an agency that oversaw and evaluated whether the City was doing a good job. Ms. Holt said there was not.

Mr. Wieland stated that someone had been hired in 2002 to locate and identify properties; he said that he thought that 40-60 had been identified but there were approximately 400 more that should be identified. Mr. Cromar confirmed that a total of 1,000 property records had been reviewed to update the historic survey information. He added that of these properties, a third had been demolished since the previous survey and there were several hundred additional properties that needed to be encoded and included in the site files. Mr. Cromar continued, stating that the City had applied for a grant to complete this update and conduct other surveys but had not received it. He said that the City hoped to acquire grants in the future to accomplish this. He added that he hoped that achieving Certified Local Government status would help in obtaining grant money.

Ms. Holt explained that the City could decide to do things not specifically stated in the document, including review and revision of ordinances. She said that the review was meant to be a continuing cycle. She added that if the community appealed to the Board to reconsider historic district regulations, the Board could recommend to the City Commission that changes be evaluated and considered.

Chair Saunders said he had a copy of a model municipal historic preservation ordinance authored by former HPB Chair Christopher Eck in 2004 and wanted to distribute these to Board members to compare with their current ordinance. Mr. Cromar said he would make copies available to the Board.

Mr. Welch asked if financial incentives could be made less cumbersome to encourage people to take advantage of them. Ms. Holt agreed that the current programs didn't seem to be working and other, more innovative incentives should be considered.

Mr. Cromar said that many of the issues the Board was raising could be taken up at the August 23 Workshop of the Planning and Zoning Board and/or before the City Commission when they reviewed the document.

Ms. Holt explained that the objective referring to the prevention of urban sprawl included the idea to "encourage the retention of historical, cultural resources which foster community identity and civic pride." Mr. Haan said that the City Commission had turned down many of the requests for historic designation of Abreu properties that had come before the Board. He said that the City Commission was not encouraging the retention of historic and cultural resources. Ms. Holt said that there were often competing objectives.

Ms. Holt said that perhaps current financial incentives for historic preservation were inadequate and noted that the ULDR was meant to enhance state and federal programs. Ms. Rathbun said the State had studied and reported the economic benefits of historic preservation. She added that "getting the word out" was the most important thing, and when the City received its CLG status and had access to grants, she hoped more historic preservation education programs would be funded. Ms. Holt said the City staff and the Historical Society could provide a link to the State report from the City's website.

Ms. Holt read from the letter with the State's comments on the report: "In the inter-governmental coordination element, it is suggested to add a policy for seeking partnerships and funding for historic resource protection." Ms. Holt noted that in Section 2.9 of the EAR there was a statement that the City found it increasingly difficult to preserve historically significant structures because of rapidly rising property values. She said that the State suggested that "sensitive adaptive reuse of historic structures should be the preferred alternative to demolition," so the City had added this into the policy.

Ms. Holt referred to the State's comments on Objective 22: "Proposes to adopt design criteria based on the Downtown Master Plan." She noted that the Downtown Master Plan had already been adopted, but they had not yet translated it into specific ULDR regulations. She continued, stating that the State suggested that when this was done, the City should consider the size and massing of historic structures and the design criteria. Ms. Holt said that they had included the State's suggestions.

Ms. Nothard said she did not understand the comment regarding the "size and mass of redevelopment." Ms. Holt explained that when a project was subject to the Downtown Master Plan Design Guidelines, the Guidelines should be enhanced so that the historic structures were also taken into consideration. Ms. Holt described as an example the current provisions in the ULDR regarding neighborhood compatibility regarding mass and structure. She said that the area of the Downtown Regional Activity Center was designated for "high-intensity development" and the Neighborhood Compatibility criteria and Design Guidelines did not cover this area, even when there was an adjacent historic structure. Mr. Cromar said that Objectives 11.2 and 11.3, which applied City-wide, stated that if there were "impacts on historic resources, the developers must compile a report and report on the impacts and any mitigation." He added that developers must come before the Board to present these reports.

Mr. Cromar noted that the next HPB meeting would take place on September 19; the following one would occur on October 17.

There being no further business to come before this Board, the meeting was adjourned at 6:40 p.m.

CHAIRMAN

William Saunders, Chair

ATTEST:

Jamie Opperlee, Recording Secretary