

**PLANNING AND ZONING BOARD
CITY OF FORT LAUDERDALE
CITY HALL COMMISSION CHAMBERS – 1ST FLOOR
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA
WEDNESDAY, SEPTEMBER 15, 2010 – 6:30 P.M.**

Cumulative

Board Members	Attendance	June 2010-May 2011	
		Present	Absent
Patrick McTigue, Chair	P	3	1
Rochelle Golub, Vice Chair (6:34)	P	3	1
Maria Freeman	A	3	1
Leo Hansen	P	3	0
Catherine Maus	P	4	0
Mike Moskowitz	P	2	1
Michelle Tuggle	P	4	0
Tom Welch	P	4	0
Peter Witschen	P	4	0

Staff

Wayne Jessup, Deputy Director of Planning and Zoning
 Sharon Miller, Assistant City Attorney
 Michael Ciesielski, Planner II
 Tom Lodge, Planner II
 Yvonne Redding, Planner II
 Mohammed Malik, Chief Zoning Plan Examiner
 Cheryl Felder, Service Clerk
 Frank Snedaker, Public Works
 Dennis Girisgen, Engineering
 Carol Ingold, Parks and Recreation
 Diana Alarcon, Director of Parking and Fleet Services
 Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to the City Commission

None.

Index

	<u>Case Number</u>	<u>Applicant</u>
1.	7-Z-10** *	Housing Authority of the City of Fort Lauderdale
2.	48-R-10** *	City of Fort Lauderdale / South Middle River Park
3.	9-Z-10** *	City of Fort Lauderdale / South Middle River Park
4.	9-T-10*	City of Fort Lauderdale / Message Center Signs
5.	56-R-10**	Sandra Post, Trustee / Galt Shoppes Restaurant at

- 3306-3314 NE 32 Street
6. 58-R-10** Sandra Post, Trustee / Galt Shoppes Restaurant at 3341 NE 32 Street
 7. 61-R-10** Women in Distress of Broward County, Inc. / PNC Bank
 8. Communication to the City Commission
 9. For the Good of the City

Special Notes:

Local Planning Agency (LPA) items (*) – In these cases, the Planning and Zoning Board will act as the Local Planning Agency (LPA). Recommendation of approval will include a finding of consistency with the City's Comprehensive Plan and the criteria for rezoning (in the case of rezoning requests).

Quasi-Judicial items ()** – Board members disclose any communication or site visit they have had pursuant to Section 47-1.13 of the ULDR. All persons speaking on quasi-judicial matters will be sworn in and will be subject to cross-examination.

Call to Order

Chair McTigue called the meeting to order at 6:33 p.m. and all stood for the Pledge of Allegiance. The Chair introduced the Board members, and Deputy Director of Planning and Zoning Wayne Jessup introduced the City Staff members present. Attorney Miller explained the quasi-judicial process used by the Board.

Vice Chair Golub joined the meeting at 6:34 p.m.

Motion made by Ms. Maus, seconded by Mr. Welch, to approve the minutes of the August 18, 2010 meeting.

Ms. Tuggle noted a correction, pointing out that the minutes did not reflect a question she had posed to a speaker regarding Item 64-R-10. She stated she had asked Mr. Connor Grey, member of the public, if he was speaking solely as a resident of the area or if he represented his company, EDSA. Mr. Grey had confirmed he was representing both, and submitted a memo printed on his company's letterhead.

Chair McTigue added that the Board has since received a letter from EDSA stating Mr. Grey did not represent them, and a letter from Mr. Grey retracting his statement that he had spoken on behalf of EDSA.

Ms. Maus and Mr. Welch **amended** their motion and second to reflect the correction Ms. Tuggle had noted.

In a voice vote, the **motion** passed unanimously.

Chair McTigue advised that Item 1 had been withdrawn, and asked the Board if they would hear Items 2 and 3 together. The Board members agreed unanimously to hear the Items together.

2. City of Fort Lauderdale/South Middle Thomas Lodge 48R10
River Park

Request: * * * **Public Purpose Use / Requesting relief from the minimum five (5) foot wall requirement**

Legal Description: A portion of the Northeast ¼ of the Southeast ¼ of the Northwest ¼ of the Northwest ¼ of Section 34, Township 49 South, Range 42 East, Broward County, Florida.

Address: 1718 NW 6 Avenue

General Location East of NW 6 Avenue, between NW 17 Street and NW 17 Place

District: 2

3. City of Fort Lauderdale /South Middle Yvonne Redding 9Z10
River Park

Request: * * * **Rezoning: RML-25 to P (Parks, Recreation, and Open Space)**

Legal Description: 34-49-42 N 135 of w 200 of N ½ of SW ¼ of NE ¼ of NW ¼ and 34-49-42 Beg NE Cor NE ¼ of SE ¼ of NW ¼, W 72.38 to R/w 6 Avenue, S on R/W 108.75, E 71.26, N 108.72 to POB

Address: 1718 NW 6 Avenue

General Location: Ease side of NW 6 Avenue and North of NW 17 Street

District: 2

Disclosures were made, and any members of the public wishing to speak on these Items were sworn in.

Frank Snedaker, representing the City, recalled that these Items had been withdrawn the previous month. One Item involves rezoning, and the other is for site plan approval with public purpose.

The rezoning Item proposes that South Middle River Park be rezoned from RDS-15 to P, or Parks, Recreation and Open Space. The ¾ acre site was acquired through the Broward County Safe Parks and Land Preservation Bond Program.

The City must rezone these parks to make them consistent with the Land Use Plan.

With regard to the site plan and public purpose use, Mr. Snedaker said the City requested relief from the buffer yard requirements, which would require a wall on one side of the park. The wall would be required only along the north side of the park, as this section abuts a residential area.

He provided documentation showing that the City had presented the plans to the neighborhood.

Vice Chair Golub stated the letter Mr. Snedaker had provided was "very unclear" as to whether the City had discussed that there would be no wall between the park and the residential area with the surrounding neighborhood. She asked if the wall had been specifically discussed. Mr. Snedaker replied the City had asked the neighborhood to provide a letter stating that they had met to discuss the park, and noted that the plans provided to the Board, which do not show a wall, were the same plans that were provided to the neighborhood association. He added that he had not been in attendance at the meeting and could not confirm that the wall was discussed.

Vice Chair Golub requested that Mr. Snedaker specify "that which was submitted, which is addressed as an updated conceptual plan," or which documents were submitted to the neighborhood for review. Mr. Snedaker said "the entire package" of documentation before the Board was also presented to the neighborhood association.

Vice Chair Golub said she was not convinced that a "novice" would understand from the plans that there would be no fence between the park and a homeowner's property. She observed that she was no more comfortable with this month's documentation showing there would be no wall than she had been the previous month, and said the letter from the association did not address the lack of a fence between the park and the residential area.

Mr. Snedaker stated the plan "would not be a variance" from standard operating procedure, as walls are not put around most parks. He asserted it is "generally" the City's position not to surround parks with walls, as this is considered detrimental to "the park element."

Mr. Hansen complimented the park's design and said he was supportive of the lack of a wall. He felt the only issue was the parking area, as vehicles pulling into the parking spaces could have their headlights shining into private yards. Mr. Snedaker explained there is a continuous 30 in. hedge that is expected to grow taller and prevent the headlight issue.

Ms. Tuggle noted that two homes seem to be "directly affected" by the absence of the wall. Mr. Snedaker pointed out that there is one home to the north and one on the south side. Ms. Tuggle asked if these homeowners were aware that the City was proposing there be no wall. Mr. Snedaker said everyone within 300 ft. of the park was notified as required by Ordinance, and signs were posted regarding the public meeting.

Tom Lodge, Planner, stated the site would be a "passive park." The proposal is consistent with the City's Comprehensive Plan and the use is consistent with the Future Land Use element.

Yvonne Redding, Planner, addressed the rezoning request and asked that the Board vote on this first, as this would mean the public purpose use would be for a park property rather than a residential property. She added that the agenda should reflect the following correction: the property would be going from RDS-15 to P rather than RML. The rezoning request is also consistent with the Comprehensive Plan.

She added that the letter from the homeowners' association was sent "several times," and she also received a call from an individual member who was in support of the park, although the wall was not specifically discussed in this conversation.

Vice Chair Golub asked who owned the land in question. Ms. Redding replied it is owned by the City and is currently vacant land on which there is no official activity.

There being no further questions from the Board at this time, Chair McTigue opened the public hearing. As there were no members of the public wishing to speak on this Item, Chair McTigue closed the public hearing and brought the discussion back to the Board.

Motion made by Ms. Maus, seconded by Mr. Witschen, to approve Item 3, 9-Z-10, the rezoning, with any Staff recommendations. In a roll call vote, the **motion** passed 8-0.

Motion made by Ms. Maus, seconded by Ms. Tuggle, to approve Item 2, 48-R-10, with any Staff recommendations. In a roll call vote, the **motion** passed 7-1 (Vice Chair Golub dissenting).

4. City of Fort Lauderdale/Message Center Signs Anthony Greg Fajardo 9T10

Request: * **Recommend approval of amendment to ULDR to allow expanded use of Message Center Signs**
Project Description: Proposed amendment to Section 47-22.3.J. *Message Center Signs*
General Location: Non-residential Zoning Districts City-wide
District: 1, 2, 3, 4

Chair McTigue stated the Applicant had requested this Item to be deferred until the October 28, 2010 meeting.

Motion made by Ms. Maus, seconded by Mr. Welch, to defer to the October 28 meeting. In a voice vote, the **motion** passed unanimously.

It was requested that Items 5 and 6 be heard together.

5. Sandra Post, Trustee/Galt Shoppes Restaurant at 3306-3314 NE 32 Street Michael Ciesielski 56R10

Request: ** **Parking Reduction [change of use from 3,289 sq. ft. of retail use to two (2) restaurants]**
Legal Description: Lots 16 and 17, Block 3, Galt Ocean Mile, P.B. 34, P. 16, of the Public Records of Broward County
Address: 3306-3314 NE 32 Street
General Location: Southeast corner of NE 33 Avenue and NE 32 Street (Galt Shoppes Business District)
District: 1

6. Sandra Post, Trustee/Galt Shoppes Michael Ciesielski 58R10
Restaurant at 3341 NE 32 Street

Request: ** Parking Reduction [change of use from 2,477 sq. ft. retail use to two (2) restaurants]

Legal Description: Lot 8, Block 4, Galt Ocean Mile, P.B. 34, P. 16, of the Public Records of Broward County

Address: 3341 NE 32 Street

General Location: North side of NE 32 Street, west of State Road A1A and east of NE 33 Avenue (Galt Shoppes Business District)

District: 1

Disclosures were made, and any members of the public wishing to speak on these items were sworn in.

Courtney Crush, representing the Applicant, stated the Applications are two parking requests to change retail stores into restaurants in the Galt Shoppes. The Shoppes site was originally platted in 1954, and at the time it was constructed, all parking was in the public right-of-way. Since then, the City has used "different mechanisms to deal with this," including appearances before the Board of Adjustment or the Planning and Zoning Board. Ms. Crush advised when the Shoppes were planned, there was the acknowledgement that parking would lie in the rights-of-way.

The properties addressed in the Application are "small bays" across the street from one another along NE 32 Street. Ms. Crush recalled that there had been a previous parking reduction before the Board for 3306-3314 NE 32 Street; this property is "now in for a building permit." The reduction was approved by the Board and is in process. The owner has since felt it would be "better planning" to expand the request, as there has been interest in these spaces from restaurants and/or coffee shops. The Application asks for a parking reduction on "the space that continues a little further east" from the previous request.

Ms. Crush showed the proposed site plan, which would allow for a "sit-down restaurant" of 2300 sq. ft. and an additional space of 938 sq. ft., which could also accommodate a restaurant with limited seating space. She observed that under City Code, any seating, even a single table, means the occupant is considered a restaurant and "must park based on the gross square footage." She also noted that the plan would include a redesign of grease traps and restrooms at the site.

The second request, for 3341 NE 32 Street, is for a 2300 sq. ft. space that the Applicant would like to divide into two restaurants of slightly over 1000 sq. ft. each. She showed the proposed site plan for this property as well.

Ms. Crush continued that the property is zoned Community Business, and the Applicant is seeking tenants who will "be active and make this a vital area." She added that there is a growing demand for food service in this area, and advised that restaurants are a permitted use in Community Business zoning districts. Changing the use from retail to restaurant would typically involve only a building permit except for the parking requirement.

With regard to the parking requirements, Ms. Crush said the 3306-3314 property, if elsewhere in the City, would require 33 parking spaces; however, in certain plot in the Galt Ocean Mile, there is a reduction based on plot size. There are four on-site parking spaces in the alley as well. The request before the Board for the 3306-3314 property is for a 16-space parking reduction for the remainder of the building. For the property at 3341 NE 32nd Street, there is a 21-space reduction request.

Ms. Crush added that the requirement for a parking reduction considers whether there is a public parking facility within 700 ft. of the parcel in question. Code also requires that any such facility be "in a clear pedestrian path" to the parcel. She pointed out that there are 431 public parking spaces in the "pool of parking" near the parcels. When the parking study was undertaken, the consultant learned that of these 431 spaces, 183 were available at what is considered a restaurant's peak time, with more available during the day.

City Staff also closely examined the area and asked that some spaces be reserved for "City needs," such as potential expansion of the Beach Community Center. They also asked the Applicant to look at vacant businesses that could reopen, which resulted in the deduction of 37 spaces from the total. In addition to the requested deduction, this would leave 104 spaces available to the community at peak restaurant hours.

Ms. Crush continued that the Applicant has worked with its neighbors through the Galt Shoppes' Business Association. She noted she had provided a letter from the Northeast Restaurant and Shoppes, and called the Board's attention to its third paragraph, in which the President of the association notes the following: "A recent trend in this neighborhood suggests that our unique location and overall appeal affords an opportunity for success to well-operated food, beverage, and entertainment enterprises. We would like to see that trend continue, and I would therefore urge the City to continue its reasonably flexible approach to the parking issues in this neighborhood." A letter from the Galt Mile Community Association in support of the Application is also included.

She concluded that the Applicant feels the request meets the ULDR requirements for parking.

Michael Ciesielski, Planner, stated that Staff concurs with the Applicant's calculations for the parking reduction, which is a 16-space reduction for 3306-3314 NE 32 Street and a 21-space reduction for 3341 NE 32 Street. He noted that the Board members' information packet includes a letter from the Galt Mile Community Association that also states support for the restaurants and parking reduction. Also included in the packet is a narrative on adequacy requirements, in which the Applicant states a public parking facility is within 700 ft. of the parcel, and the applicant's contention that the parking reduction will not adversely affect "the character and integrity of the surrounding properties."

Should the Board determine that the requested parking reduction meets ULDR standards, Staff proposes the following conditions:

1. A parking reduction order must be executed and recorded in the Public Records of Broward County at the Applicant's expense; and
2. Pursuant to Section 47-20.3.A.7, an approval of the parking reduction order by the Planning and Zoning Board shall not be effective until 30 days after approval, and then only if no motion is adopted by the City Commission seeking to review the Application.

Ms. Tuggle requested clarification of the location of the public parking garage. Mr. Ciesielski said that the public parking garage is located "two blocks south of Oakland Park Boulevard While this subject parking area is on the north side of Oakland Park Boulevard. Ms. Crush added that the garage is outside the 700 ft. range of the survey and is not included in the 431 spaces cited by the Applicant.

Mr. Witschen noted that the Galt Shoppes are located in "a unique, isolated business area," and commented that City ordinances can "over-regulate" parking in cases such as this one. He also felt the administrative cost of bringing an Application before the Board can be "exorbitant" to prospective Applicants, and in many cases, areas such as the Galt Mile were not redeveloped for these reasons. He concluded that he hopes the City Commission will consider a Code change for parking requirements, particularly in "isolated business areas."

Mr. Hansen agreed, and asked Mr. Ciesielski if the Galt Shoppes could be treated "as one unit" with respect to the retail shops and restaurants included, which might preclude owners of these businesses being required to appear before the Board again.

Diana Alarcon, Director of Parking and Fleet Services, replied that a consultant is studying the barrier island, specifically noting the Galt area and what its requirements "truly should be" with regard to parking. The study has just begun, and data is still being gathered, so it will be "quite a few months, if not a year" before the consultant has arrived at a conclusion. She stated that the City recognizes that parking requirements are in need of adjustment in these areas.

Vice Chair Golub noted that should Applicants in the Galt Shoppes continue to convert and/or divide spaces into restaurant use, the result could eventually be that "they are all being serviced by the existing parking." She expressed concern that should all the Galt Shoppes be occupied by restaurants, this could result in "zero parking." She characterized this as "a race for reduction," and noted that in this case, the use is being changed "when we don't really have a tenant or a lease in mind." Director Alarcon replied that the consultant is assessing the situation as if "every use was a restaurant" in order to accurately determine parking needs.

Ms. Crush clarified that the properties before the Board, which are "five total restaurant properties...plus one other corner piece of property" are "the universe" of the Applicant's properties in the area. She added that the Applicant has an intended user for some of the space, but has not signed a lease with new tenants prior to approval of the parking reduction. The City considers parking reductions by looking at existing conditions and contemplating anticipated future needs, which in this case would result in sufficient parking. She noted that the Applicant has already begun physical improvements for the site, as they affect whether or not the parking spaces in the alley can be maintained.

Attorney Miller noted that the parking reduction order includes a requirement that a building permit be issued and the use must commence within 18 months of approval; therefore, should the restaurant(s) never open, the parking reduction would not take effect.

Ms. Maus asked if the leases for the restaurants include provisions for employee parking. Ms. Crush replied that no special provision had been anticipated, and if employees were required to pay for parking they would be assured "a good rate in Bridgeside Square." She also noted that a bus stop is located in front of the property.

Ms. Maus observed that lack of such provisions in leases has led to "an ongoing problem" on Las Olas Boulevard, and requested that a condition of approval be a provision in the leases, as verified by Parking and Fleet Services, related to employee parking. She noted this could mean the restaurants could assume the cost of parking in Bridgeside Square.

Ms. Crush said the Applicant is amenable to designating the four spaces behind the proposed restaurants as employee parking. Mr. Welch added that the conditions on Las Olas Boulevard are not similar to the conditions in the Galt Mile, as there is a residential element to the situation on Las Olas Boulevard. He agreed, however, that employee parking must be factored into the study.

Ms. Crush advised that the public parking rate at Bridgeside Square is \$50/month, but stated that the Applicant believes "a large number of employees"

would arrive either by bicycle or mass transit. She said she did not foresee "additional off-site employee overflow" to the four spaces behind the restaurant.

There being no further questions from the Board at this time, Chair McTigue opened the public hearing.

Christopher Sheehan, member of the Board of Directors of the Galt Mile Community Association, said he is a resident of the area in question and is looking forward to the addition of new restaurants to the Galt Shoppes. He noted that there are 13 buildings in the area that have two floors, with residences located on the second floors, but there is still "plenty of parking."

As there were no other members of the public wishing to speak on this Item, Chair McTigue closed the public hearing and brought the discussion back to the Board.

Motion made by Mr. Witschen for the Applicant as affirmed that there be four on-site parking places that would be dedicated for employee parking, consistent with the Staff conditions.

Ms. Tuggle asked the Applicant if the motion as stated is agreeable. Ms. Crush replied that the dedication of four on-site spaces to employees only was agreeable to the Applicant. Ms. Tuggle **seconded the motion**.

In a roll call vote on Item 5, the **motion** passed unanimously.

Vice Chair Golub asked if there are any dedicated off-street parking spaces that could be used for employee parking behind the building in Item 6. Ms. Crush replied there were no such spaces.

Director Alarcon said monthly parking is available in this vicinity, but it is not allowed to be "in front of the storefronts." She explained there are several spaces in front of a community center that could be used by employees at a rate of \$35/month.

Mr. Witschen asked if the Applicant would be willing to purchase a certain number of parking permits for employees on a monthly basis as a condition of approval. Ms. Crush agreed that a provision for three employee spaces could be included in the lease.

Motion made by Mr. Witschen, seconded by Ms. Maus, to approve, with that caveat and accepting Staff recommendations.

In a roll call vote, the **motion** passed unanimously.

7. Women in Distress of Broward County, Inc. / PNC Bank Yvonne Redding 61R10

Request: ** **Site Plan Level III/ Waterway Use: 4,729 SF Financial Institution**

Legal Description: Lot 1 and 2 and Lots, 3,4,5,6,7 and 8 less the south 15 feet thereof, Block 8 of Placidena Unit B, according to the plat thereof, as recorded in P.B. 5, P. 8, of the Public Records of Broward County, Florida

Address: 1153 South Andrews Avenue

General Location: On the Northwest corner of South Andrews Avenue and Davie Boulevard

District: 4

Disclosures were made, and any members of the public wishing to speak on this item were sworn in.

Heidi Davis, representing the Applicant, stated that PNC Bank proposes to develop a 4700 sq. ft. bank with drive-through facilities at a property currently owned by Women in Distress. They are requesting site plan approval because the property is adjacent to a small portion of the Tarpon River. Ms. Davis explained that although the river flows "through pipes and culverts," it is not accessible or navigable at the location. The north bank of the river is also inaccessible due to dense vegetation.

Ms. Davis stated the Application is for a permitted use and requires no conditional uses or variances within CB zoning. The site includes a 76 ft. setback from the waterway. The site plan for the project was originally submitted in June; since that time, the South Andrews Master Plan has been revised, and PNC has revised its site plan as well to comply with the intent of these guidelines, although the new Master Plan has not yet been adopted. The Applicant has retained the fence along the waterway at the request of the Fort Lauderdale Police Department due to safety and security issues.

Ryan Thomas of Bowler Engineering showed the plat drawing of the site, noting that the site is 48% green, and planting has been increased adjacent to the waterway. Because the site's pervious area has been decreased, less runoff will be generated. The Applicant's traffic study indicates the overall number of trips for the property would be 392 fewer trips for the proposed condition than in the existing condition. The design includes 18 more trees than required by Code, a courtyard, and improved on-site vehicular circulation.

Ben Callam, representing PNC as part of its architectural design team, showed renderings of the building, stating that sustainability is "at the core of this design." PNC has made an effort to follow the "Volume Build" program, which is in conjunction with the U.S. Green Council. The roof has been reworked for efficient day lighting as well. The building also features pedestrian access on three sides. The overall result is a structure that facilitates both sustainability and public interaction.

Ms. Davis concluded that the bank is compatible with the low-scale commercial buildings of the neighborhood and has no adverse impact on the neighborhood or the waterway. The Applicant has met with the Tarpon River Civic Association and addressed their concerns, after which the Association had no objections to the site plan.

Ms. Tuggle asked where the existing fence is located on the waterway. Ms. Davis replied it is against the bulkhead of the seawall.

Ms. Redding advised that CB zoning allows financial institutions with drive-through facilities, and the Applicant has met setback and waterway use criteria and has worked with Staff to comply with the upcoming South Andrews Master Plan.

Ms. Tuggle asked what the "overall feel" of the Master Plan is intended to reflect. Deputy Director Jessup said the intent is to make Andrews Avenue and its adjacent streets "more pedestrian-friendly" by bringing buildings closer to the street.

Ms. Tuggle observed that the corner on which the bank would be located is "a very busy intersection," and she felt the building was "tight to that corner." Deputy Director Jessup noted that the planned building would be set farther back from the corner than the present building. Ms. Davis added there is a "corner cord" in place, in addition to a plaza, sidewalks, and landscape buffers.

It was noted that the proposed building is set 17 ft. "off the back of the sidewalk," which is farther back than the present building. Ms. Tuggle observed there would no longer be a fence at the corner of Andrews Avenue and Davie Boulevard. Vice Chair Golub observed there is "grass between the curb and the sidewalk" as well as landscaping on the corner.

Mr. Witschen asked if the use and site plan are "compatible and complementary" to the proposed South Andrews Master Plan. Deputy Director Jessup confirmed this.

There being no further questions from the Board at this time, Chair McTigue opened the public hearing.

Alison Massey, private citizen, stated she owns the property adjacent to the site in question and had previously attempted to purchase it from Women in Distress. She said she had understood the parcel would be a "gateway for the area" and was surprised to see a small building planned for the property. She noted that larger projects, such as a restaurant, hotel, or park, had once been discussed for the property.

Ms. Maus advised that the bank now owns the property and the Board is charged only with approving the site plan and determining that it meets Code.

As there were no other members of the public wishing to speak on this Item, Chair McTigue closed the public hearing and brought the discussion back to the Board.

Vice Chair Golub asked if a written statement from the Tarpon River Civic Association was included in the information packet. Ms. Redding said a discussion had occurred between the Association and the Applicant in which the site plan was presented to them, but no written statement was included. Ms. Davis clarified that the discussion had taken place on August 20, and read from an email from a member of the Association's Board. The email stated that "the majority of the Board thought we could do a lot worse at this location," and noted that aside from concerns about tree relocation and lighting, "otherwise the group thought it would be fine." She noted that the concerns had been addressed by the Applicant.

Ms. Davis continued that she had, as a courtesy, sent copies of the plans to other civic associations in the area, and had received several responses from individuals who were not members of the Tarpon River Civic Association.

Vice Chair Golub explained that it would be "a good idea" to include the email from which Ms. Davis had read as part of the record. It was agreed that the email would be entered into the record.

Mr. Hansen expressed concern regarding the waterway, stating that he felt "something better could happen with that bridge" as Andrews Avenue continues to be redeveloped. He felt the Board has a responsibility to help preserve Fort Lauderdale's waterways, and stated he would be against the project due to the fact that it did not "preserve and enhance" the waterway in question.

Ms. Redding noted that the City's Landscape Architect had found the roadway encroachment into the buffer yard to be "adequate," as a green area is preserved on the rest of the site. Mr. Hansen said he felt the City's waterways should not be compromised in any way.

Mr. Witschen said he shared Mr. Hansen's concerns regarding the waterway.

Vice Chair Golub said the location is not suited for "waterfront development," and did not feel it was "logical" to consider opening up the waterway in the future. She stated her concern in this case was whether or not the Board could say the proposed development is "an improper use."

Mr. Hansen explained he was not trying to prevent the proposed development, but to promote the preservation of "Fort Lauderdale as a town where waterways are beautiful." He emphasized that he wanted the Applicant to "adhere to" the 20 ft. buffer yard along the water on the north side of the property. Ms. Davis noted that the buffer yard averages "well over 20 [ft.]" and varies only because of the landscape strip and sidewalk.

Ms. Maus asked if a consistent 20 ft. buffer yard can be retained while still accommodating parking. Ms. Davis said "a few" parking spaces could be lost and the property would still meet its parking requirement, and advised if the Board would like to make the 20 ft. buffer yard a condition of approval, she felt it could be "worked out."

Mr. Hansen added that the site plan includes a notation of "proposed building setback 10 ft.," and requested that it be made clear the setback is not actually 10 ft. Ms. Davis said this would not be a problem.

Motion made by Ms. Maus, seconded by Mr. Welch, to approve with Staff recommendations and with Mr. Hansen's recommendation that the Applicant meet with Staff and figure out a way to accommodate a 20 ft. buffer along the waterway prior to final signoff by Staff.

Vice Chair Golub apologized to Mr. Hansen for originally misunderstanding his concern, stating she agreed "one hundred percent."

In a roll call vote, the **motion** passed 7-1 (Mr. Witschen dissenting).

8. Communications to the City Commission

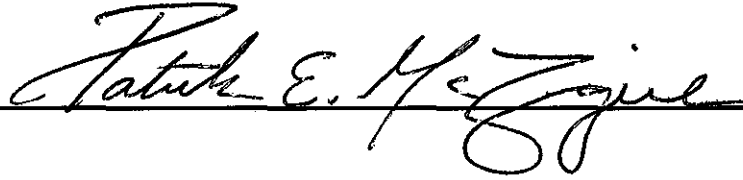
None.

9. For the Good of the City

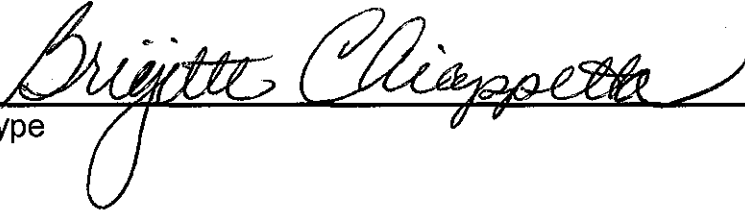
None.

There being no further business to come before the Board at this time, the meeting was adjourned at 8:19 p.m.

[Minutes prepared by K. McGuire, Prototype, Inc.]



Chairman



Prototype