PLANNING AND ZONING BOARD
CITY OF FORT LAUDERDALE
CITY HALL COMMISSION CHAMBERS – 1ST FLOOR
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA
TUESDAY, MAY 14, 2013 – 6:30 P.M.

Board Members	Attendance
Patrick McTigue, Chair	P
Leo Hansen, Vice Chair	P
Brad Cohen	P
Stephanie Desir-Jean	P
Michael Ferber	P
James McCulla	P
Michelle Tuggle	P
Tom Welch	P
Peter Witschen	P

It was noted that a quorum was present at the meeting.

Staff
Ella Parker, Urban Design and Planning Manager
D'Wayne Spence, Assistant City Attorney
Greg Brewton, Director of Sustainable Development
Jenni Morejon, Deputy Director of Sustainable Development
Anthony Fajardo, Zoning Administrator
Randall Robinson, Urban Design and Development
Dennis Girisgen, Engineering Design Manager
Diana Alarcon, Director of Transportation and Mobility
Eric Czerniejewski, Department of Transportation and Mobility
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

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	Case Number	Applicant
1.	51R12**	Downtown Fort Lauderdale Waterfront 18, LLC / Marina Lofts
2.	Communication to the City Commission	
3.	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.

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 Urban Design and Planning Manager Ella Parker introduced the Staff members present. Attorney Spence explained the quasi-judicial process used by the Board.

Attorney Spence staed that the Board is limited to reviewing information related to whether or not the Application meets the requirements of the ULDR. While there has been an indication that a protected tree exists on the subject property, he advised that the Board is not tasked with considering any determination on the removal of this tree, as only the City Commission may make this determination.

Chair McTigue advised that Applicants and their representatives are allowed 15 minutes to present to the Board; representatives of associations and groups are allowed five minutes, and individuals are allowed three minutes.

1. **Downtown Fort Lauderdale Waterfront 18, LLC / M Lofts** **CASE:** **51R12**

Request **	Site Plan Level IV Review / Proposed Use within the TMU on land abutting the New River and Parking Reduction
Legal Description:	Portions of Block 38 and 39 and vacated rights-of-way, TOWN OF FORT LAUDERDALE plat (Plat Book "B", Page 40, Dade County Records), together with that certain Sovereignty Submerged Land Lease Renewal (ORB 35694, Pg 410), together with Parcels "A", "B", and "C", GROCERY PLAT (Plat Book 153, Page 15, Broward County Records), said lands generally lying west of the FEC Railway and east of SW 4th Avenue in the City of Fort Lauderdale.
General Location:	South side of New River between FEC r.o.w. and SW 4th Avenue
District:	4
Project Planner:	Randall Robinson

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

Mr. Witschen asked if the posting date for the property was known. Ms. Parker clarified that signs were posted on May 2. Mr. Witschen observed that it has been customary in the past to post notice for 15 days, although this is not a requirement of law.

Motion made by Mr. Witschen that because of [the posting date], [the Item] be postponed. The **motion** died for lack of second.

Chair McTigue requested that members of the audience hold any applause in the interest of time.

Stephanie Toothaker, representing the Applicant, requested 60 minutes in which to present the Application. It was clarified that this additional time would include any time reserved for rebuttal.

Motion made by Mr. Cohen, seconded by Ms. Desir-Jean, to accept 60 minutes. In a voice vote, the **motion** passed unanimously.

Ms. Toothaker advised that while the ULDR states that signage is required 15 days in advance of a hearing, the Board had determined the date of the special meeting at their April 17 meeting, which provided residents with 28 days' actual notice. She added that the ULDR clarifies that failure to provide sign, agenda, posting, and additional notice, is not sufficient grounds on which to invalidate a hearing.

She continued that the requests before the Board are Site Plan Level 4 approval and a parking reduction. Issues such as allocation of units and relocation of a tree may only be determined by the City Commission, as previously stated.

Asi Cymbal, Applicant, showed a PowerPoint presentation highlighting various projects on which his company has worked. He stated that his development company creates "design-driven" communities, which he felt applied to the Marina Lofts project. Mr. Cymbal noted that the subject property is located on a six-acre stretch of land, which is the largest underused parcel of land remaining in Downtown Fort Lauderdale.

He advised that the project will be accomplished in three phases. The first phase consists of 255 units at a cost of approximately $40 million, or 55% of the total cost of the project. The project will consist of affordable luxury housing units, most of which will cost less than $2000/month. Mr. Cymbal explained that the key to this affordability is density, or spreading the cost of the project over a large number of units.

He continued that there is presently 95% occupancy in Downtown Fort Lauderdale, which makes it difficult for prospective residents to find housing. He

pointed out that the price of the Marina Lofts units will begin at $1100/month, and the project's first building is expected to be spoken for by the time construction begins.

Daniel Kidd, architect for the Applicant, showed and described slides of projects on which his firm has worked in the past. He stated that the Marina Lofts project is expected to include retail and "live/work" units along the New River.

Ms. Toothaker described the project as located between the Esplanade and the FEC railroad tracks, where it will be part of the Tarpon River neighborhood. She showed slides of the existing conditions of the property and described the intended use of some parcels, including a pedestrian promenade to the Riverwalk.

She continued that there have been several articles, both positive and negative, published about the proposed Marina Lofts project. Phase 1 will include a small amount of restaurant space; phase 2 will feature restaurant, retail, and residential space; and phase 3 will include six live/work units as well as retail space and boat storage.

Ms. Toothaker stated that phase 1 includes setbacks ranging in size from 61 ft. to 129 ft. off the New River in order to preserve the view of this area. It will have 255 residential units and 433 parking spaces. Phase 2 is the central parcel of the project, with 261 units and 442 parking spaces. Phase 3 will have setbacks of 166 ft. from the New River, and includes 476 residential units and 438 parking spaces, as well as the six live/work units, retail, and restaurant space.

She advised that the project will provide roughly two acres of open space for the public. The site will include green roofs, green walls, and extensive landscaping. Ms. Toothaker also noted the ingress and egress of each garage, which is located on 4th Avenue for the western garage, 4th Court for the central garage, and 3rd Avenue for the eastern garage.

The project includes internal loading zones that can accommodate U-Haul-sized trucks inside the garage. Each garage will have two dedicated loading spaces for these trucks. Garbage trucks can also access the garages, in which the project's garbage areas are located. Larger trucks, such as tractor-trailers, will pull into a dedicated loading zone between the central and eastern garages. A loading zone has been added to the east of the westernmost garage during phase 1.

Ms. Toothaker pointed out that transmission lines located on the property will need to be moved as well. She asserted that the project has committed to relocating these utilities underground from Broward Boulevard to SW 5th Street, although she did not yet know if this would be the lines' ultimate location, as

plans are subject to the approval of Florida Power and Light (FPL) as well as site plan approval.

She briefly reviewed the conditions of approval listed in the Staff Report, stating that the Applicant can agree to nearly all these conditions; however, Ms. Toothaker clarified the following conditions:

- Condition #3: while all improvements must be constructed during phase 1, existing tenants on the property cannot be moved during this phase. The Applicant proposes to post a completion bond with the City in order to ensure the construction of these improvements if they are phased with the project.
- Condition #4: while each phase of the project must stand on its own, Ms. Toothaker emphasized that it is being brought together as a single unified project with three buildings. The requested parking reduction is for the project as a whole rather than the three individual phases.
- Condition #7D: while most loading and unloading will be internalized, semi trucks or tractor-trailers will load and unload outside the buildings, although not within the public right-of-way.
- Condition #8: Ms. Toothaker noted that this condition relates to traffic concerns, which would be addressed by the Applicant's traffic expert. She felt that Staff would be satisfied that the project meets traffic conditions.

She added that neighborhood concerns primarily relate to the project's density and number of units. Ms. Toothaker referred to a chart showing that the project includes approximately 168.5 units per acre, which is less than the recently approved New River Yacht Club development. The buildings' height is between 294 ft. and 342 ft., which are smaller than the nearby River House. The building frontage on the river is roughly 81% of the site, which is also less than the frontage approved for the New River Yacht Club. She concluded that the project has a similar density to others that have been constructed in Fort Lauderdale.

Ms. Toothaker added that if this and other pending projects are approved, there will be 817 buildable units remaining Downtown. She recalled that at the April 17, 2013 Board meeting, the Board approved a ULDR amendment that will release 3000 additional units if approved by the City Commission. Another potential land use plan amendment may allocate an additional 5000 units as well.

Ms. Toothaker introduced Bob Brennan, arboriculturist for the Applicant, to discuss the issue of a tree located on the property.

Mr. McCulla asserted that the Board should not discuss the tree. Attorney Spence clarified that the Applicant may or may not choose to discuss the tree; Ms. Toothaker replied that if the Board did not wish to discuss this item, the Applicant did not feel compelled to make it part of their presentation.

The Board members briefly discussed whether or not it would be appropriate to discuss the tree. Chair McTigue reiterated that only the City Commission could make a decision regarding the tree. Attorney Spence advised that because this was part of the Applicant's presentation, it would be left to the Applicant to determine whether or not to include discussion of the tree.

Mr. Ferber asked if the Board was obliged to listen to public comment on the tree if the Applicant chose not to make it part of their presentation. Attorney Spence said the Board may not foreclose on any testimony brought forward by the public, but reiterated that they may only consider testimony that is applicable to Site Plan Level 3 approval.

Mr. McCulla suggested that if there is a great deal of public comment regarding the tree, the Applicant's testimony could be allowed later during the meeting. Ms. Toothaker proposed that the Applicant's experts could respond to any issues that are raised.

Anthony Abbate, representing the Applicant, stated that he was asked to evaluate the project's impact on historic resources. He explained that two sets of criteria typically apply to this evaluation, including seven aspects of integrity as defined by the federal Department of the Interior, National Park Services, and the National Register of Historic Places. These criteria identify aspects of integrity of historic properties.

He continued that the second set of criteria is the 10 standards for rehabilitation of historic resources. This is a guide for work undertaken on historic resources by the federal government. Although the subject project is neither on nor adjacent to historic property, these standards are typically applied as part of the evaluation.

Mr. Abbate stated that the only issue is the aspect of setting and the importance of maintaining the integrity of the setting. This would balance the naturalistic setting of the New River with the nearby railroad and water-related transportation. Findings have concluded that plantings to create a native tree canopy on the south bank of the New River would maintain the integrity of the historic resources.

A shadow study, which covers the winter and summer solstices and spring and fall equinoxes, is typically conducted for the midday, mid-morning, and evening hours. In this case, Mr. Abbate stated that a more detailed analysis was requested, which included a full day at half-hour intervals for the winter solstice, as this is the day that would present the least amount of natural daylight. Because the proposed development is located to the south of the existing historic resource, the New River Inn, and south of Esplanade Park, the longest shadows are assumed to be cast toward the north on this date. He showed slides of the

projected worst-case scenario, which resulted in no adverse effects due to shadows, except during the early morning hours in Esplanade Park.

Joaquin Vargas, representing the Applicant, stated that he would discuss parking, traffic, the Applicant's traffic mitigation plan, and an associated valet operation associated with the project. He asserted that were the project located within the Downtown Regional Activity Center (RAC), no parking would be required. According to the parking reduction study, approximately 1272 spaces are needed to adequately park the project by the completion of phase 3; 1313 spaces are being provided, which is a 41-space surplus.

Mr. Vargas explained that 82% of the residential units are efficiencies, live/work units, or one-bedroom apartments, all of which have a low parking usage. Because the project is a mixed-use development, with residential, restaurant, and retail space, internal trips exist between these uses, and the three types of uses have different peak hours. The project's multimodal component also reduces its parking needs. Mr. Vargas concluded that the project will be adequately parked at buildout.

He advised that when the number of units is taken into consideration during the project's phases, roughly 30% more parking exists during phases 1 and 2 when compared to the ultimate shared parking analysis.

Mr. Vargas continued that the main entrance to the development lies at the intersection of 6th Street and 3rd Avenue. The Applicant proposes significant turn lane improvements on these streets, which will mitigate the completion of the project in its third phase and will benefit to other motorists and local residences.

The intersection of 4th Avenue and 6th Street was characterized as "challenging," as there is no room for additional turn lanes. In this area, the proposed improvements include signal optimization, on which Broward County will work with the Applicant upon the completion of each phase. This will account for changes in traffic patterns as each phase is finished.

There is also a "back door" exit from the area onto 5th Avenue, which becomes less than ideal when it merges with the southbound lanes of 4th Avenue. The Applicant has agreed that upon completion of phase 1, they will evaluate and improve the safety in this area with signage and improved visibility. They will work with City Staff and Broward County Engineering to ensure these entities are in agreement regarding these improvements.

One concern raised by residents of the area was speeding traffic near the rear exit. The Applicant has agreed that upon completion of phase 1, they will conduct a traffic calming study and identify calming devices, such as speed humps, to

address this issue. Mr. Vargas asserted that these improvements alone more than offset the impact of the project at buildout.

Multimodal improvements have also been identified in the area. Mr. Vargas stated that sidewalk improvements will be made, both adjacent to the site and on 5th Street. The Applicant has also agreed to provide sidewalk connectivity between 3rd Avenue and Andrews Avenue, as this area is part of the future location of the WAVE streetcar project.

Bicycle lanes will also be created adjacent to the project. Mr. Vargas acknowledged that a bicycle lane project is already being undertaken by Broward County between the south terminus of 4th Avenue and Broward Boulevard. The Applicant's bicycle improvements will provide a connection to this project. The Applicant has agreed to comply with the Complete Streets initiative for this area, which includes bicycle lanes, sidewalks, and on-street parking as available within the right-of-way.

Additional improvements include a Water Taxi hub, private boat docks at the marina, on-site bicycle storage in each building, bicycle racks for the general public, two B-Cycle stations, and information kiosks for public transportation. Mr. Vargas pointed out that this addresses all non-automobile modes of transportation in the area.

He noted that on the west side of the western building, as well as on 3rd Avenue, areas have been identified for drop-off and pickup services during phases 1 and 2; when phase 3 is complete, these areas will have both continued drop-off and pickup as well as a valet operation. The areas designated for valet services will be next to the phase 3 parking garage. Valet parking areas will be located on each floor of this garage.

Jordana Jarjura, also representing the Applicant, addressed the project's consistency with the Downtown Master Plan and New River Master Plan, as well as public benefits and support for the project. She stated that both Master Plans include planning principles that provide a framework for potential developers. These principles were determined with neighborhood input and approved by the City. Ms. Jarjura continued that Marina Lofts meets 11 of the 12 planning principles of the Downtown Master Plan and all of the principles of the New River Master Plan.

The Riverwalk District Plan, which provides a guide for activating public spaces and bringing people to the river, and the 2013 Visioning Plan, which describes the Downtown area, must also be considered. Ms. Jarjura concluded that Marina Lofts complies with all these City plans by transforming a blighted and underused area and providing mixed-income housing opportunities with rental properties, crew housing, corporate housing, and live/work units, all of which are currently

lacking in the Downtown area. It also redevelops and preserves the marina and provides multimodal development, and expands and extends the Riverwalk Promenade and includes 2.1 acres of open space, of which 1.4 acres are green space.

Public benefits to the City from the Marina Lofts project include improvements to the marine industry and architectural excellence of the project. The cost of the public amenities, which are located on private property, is approximately $10 million in offsite improvements. These include moving transmission lines, the expanded Riverwalk, the Water Taxi, and the seawall.

Paul Lambert, also representing the Applicant, described the economic impact of the project on Fort Lauderdale. He advised that an economic impact analysis showed that Marina Lofts would provide more than $67 million in one-time economic impact during the construction period, as well as another $34 million on an ongoing basis. At the outset, $4 million will be paid in professional fees to local firms, and roughly $7 million in impact fees will be paid by the project.

Mr. Lambert stated that there will be 600 full-time jobs through the construction period and "into the period of operations." $2.5 million will be purchased in goods and services as a result of the development, and $3.5 in ad valorem taxes will be created. The most important benefit of the project, he concluded, was that half the units will typically be rented to families that currently live outside the City: when they move into the City, they will create more wealth within the existing community. This growth will also contribute toward offsetting the City's existing budget deficit.

Ms. Jarjura advised that there has been a great deal of community outreach with regard to the project, noting that Mr. Cymbal has met with various groups as well as with more than 1000 individuals during the past year. Presentations have been shown to the Esplanade community, the Tarpon River Civic Association, the Greater Fort Lauderdale Chamber of Commerce, the Downtown Council Board of Governors, the Marine Industries Association of South Florida, and the Downtown Development Authority.

She noted that letters of support are included in the Applicant's materials. The Applicant has received 286 letters of support from within the district in which the property is located, 408 letters from the City as a whole, 154 letters from within the County, and 87 letters from outside the County. A letter from Riverwalk Fort Lauderdale President Genia Ellis states that the project meets the guidelines and intent of the Master Plan, and a letter from Broward County Commissioner Dale Holness articulates the public benefits of the project. These letters were entered into the record at this time.

Randall Robinson, representing Urban Design and Development, stated that the request is for approval of a mixed-use project within the Downtown RAC transitional mixed-use district on land abutting the New River. There is also a request for a parking reduction. The project includes 998 residential units, approximately 20,000 sq. ft. of retail space, and 1200 sq. ft. of restaurant space between the FEC right-of-way and SW 4th Avenue.

Mr. Robinson advised that the location is one of the largest undeveloped areas along the New River. Properties to the east are zoned RAC City Center and allow for unlimited height and no required on-site parking; to the north, the zoning is RAC Arts and Science and a historic preservation district; to the south and west, properties are zoned RAC SW mixed use. The subject site will have an RAC SW mixed use zoning designation.

At present, overhead FPL transmission lines bisect the site between SW 3rd and 4th Avenues. The Applicant has provided a conceptual plan for the realignment of these lines, and has indicated that these lines will be placed underground if possible. Final resolution and construction drawings will be provided at final site plan submittal.

The proposed site includes an existing African rain tree, which is protected by a 1997 City Commission resolution unless other action is approved by the Commission. The Applicant has contracted a company to relocate the tree from its current location to a proposed public plaza/park space on the corner of SW 3rd Avenue and 5th Street. The City Commission will review the request to relocate the tree at the same time the site plan comes before them for allocation of Downtown residential units.

Mr. Robinson noted that residential development proposals within the Downtown RAC are typically reviewed as Site Plan Level 2 applications, subject to meeting the intent of the Downtown Master Plan. In this case, however, because the subject site is within the Downtown RAC SW mixed-use district, the proposal is subject to Planning and Zoning Board review and recommendation, along with the associated parking reduction.

He noted that vehicular ingress/egress is provided from SW 3rd Avenue, SW 4th Avenue, and 4th Court. A total of 1941 spaces are required for the project's proposed uses. The Applicant proposes to provide 1013 on-site spaces, or a 32% reduction from current Code requirements for the use. The City's traffic consultant has reviewed the Applicant's traffic and parking study, and has requested that the Applicant address certain elements identified in the Staff Report and proposed as parking site plan conditions.

The proposed development is consistent with the City's Comprehensive Plan, as the residential and commercial uses and density are allowed within the RAC land

use category to encourage development. The proposed project is consistent with the Plan's objectives, which encourage growth within the Downtown RAC to support existing and future businesses, alternative transportation options, and cultural activities. The Comprehensive Plan also recommends mixed-use redevelopment in the section of the Tarpon River neighborhood located within the Downtown RAC.

Mr. Robinson stated that consideration must be given to the recommendations of the Downtown and New River Master Plans with regard to neighborhood compatibility and adequacy. The Downtown Master Plan, adopted in 2003, includes a primary goal of meeting public initiatives while creating opportunities to leverage these initiatives with private investment. It also promotes economic sustainability to protect the investments made in the Downtown area.

Mr. Robinson emphasized that the principles and guidelines of both Master Plans are general in nature. The project is consistent with the Downtown Master Plan's intent to create a more livable, active urban center, and will contribute to a more active environment and vision for the area while supporting the retail, walkability, and future transit options defined in the Master Plan's principles. The Plan's guidelines are intended to achieve broad goals; they are not meant to be proscriptive, but allow flexibility to create the best possible urban environment. Design may vary from the guidelines while meeting their intent. .

Much of the original vision of the future for the Downtown segment of the New River has already been achieved. The New River Master Plan, adopted in 2008, envisions the next stage of improvements for this area. The Downtown Master Plan advocates mixed use, with walkable urban streets, integrated transit options, interconnected public spaces, and quality architecture and urban design. The New River Master Plan complements these goals by emphasizing better connections along the river, increased public access, integration of the riverfront back into the surrounding neighborhoods, and highest-quality development for key sites along the river.

The structure guiding development along the New River is based on identity, sense of place, and memorable public spaces. The Riverwalk district is divided into five distinct character areas. Mr. Robinson showed a rendering of the Downtown RAC, noting that Marina Lofts is located in the Near Downtown character area along the New River. According to the New River Master Plan, Marina Lofts is within the Tarpon River Neighborhood Gateway character area.

Mr. Robinson continued that the New River Master Plan provides specific recommendations for the Tarpon River neighborhood, including the creation of more opportunities for a pedestrian-oriented neighborhood that supports retail and maritime activities and character. It also recommends the creation of a rain tree pocket park.

The Riverwalk district is a major destination within the Downtown area, and encourages the highest-quality architecture and public space design. While architecture is subjective, creative design can result in projects that meet this intent. The New River Master Plan includes a restaurant, retail, and entertainment market study, which recommends that the south side of the Riverwalk should add mixed-use or residential buildings with additional restaurants, entertainment, retail, and other activities.

Mr. Robinson noted that while there is vacant restaurant and residential space along the Riverwalk at present, it is typical for retail and restaurant uses to follow residential development. A critical mass of housing that caters to diverse income levels, however, has not yet been established in the area. Marina Lofts may help to achieve the amount of housing necessary to support a restaurant and retail market on the New River corridor.

The New River Master Plan's preferred building orientation is parallel to the river's edge. This guideline is intended to preserve views of the river corridor and prevent a canyon effect. The project offers a perpendicular orientation of towers to the river, maximizing north and south views. Staff believes the proposed building orientation maintains satisfactory light and air to the streets, also maintaining the views and providing public access along the river's edge. The proposed project, with a unique silhouette to the north and south, would also contribute to the distinct architectural identity of the New River corridor.

Regarding height, Mr. Robinson stated that the preferred height of the Near Downtown character area is 30 floors. The project's three towers, from east to west, are 33, 28, and 20 stories respectively. The decrease of stories in the two western towers creates a stepping-down effect that offsets the higher eastern tower, creating architectural interest. The height and floor plans of the buildings are generally consistent with the characteristics of the Near Downtown location, and its unique design will create an iconic element along the Downtown skyline.

He continued that the western and middle towers meet the Downtown Master Plan's intent of limiting floor plates to 12,500 sq. ft. in order to provide for a more elegant skyline and less massive buildings. Many of the floors in Marina Lofts would be less than the maximum square footage. While the eastern tower exceeds the preferred 12,500 sq. ft. floor plate by 2000 ft. to 4000 ft. above the eighth floor, these larger floor plates are offset by an architectural opening element, which provides access to the existing boat storage warehouse.

The Downtown Master Plan states that towers on the same site should be separated by 60 ft. or more. This separation exists between the middle and eastern towers; however, the distance between the western and middle towers is significantly less due to an architectural "crack" of varying width due to the angle

of the buildings. The resulting appearance is considered to be exemplary of the architectural design cited in the Downtown Master Plan.

Mr. Robinson noted that the project meets the minimum shoreline setback from the New River, with setbacks ranging from 60 ft. to 129 ft. The New River Master Plan also calls for varying shoulder heights and stepbacks, including a minimum 30 ft. stepback above four stories. Although the proposed project does not include these stepbacks, Staff believes it meets the intent of the Plan's recommendation due to the variation in setbacks and orientation of buildings.

Mr. Robinson concluded that the proposed project is consistent with the Downtown Master Plan, and is likely to have a positive impact on the economy and vibrancy of the City. Its 998 units will bring several new households to the core Downtown area, where high density is encouraged, and its retail, restaurant, marine, and public Riverwalk elements will serve both residents of the project and the overall Downtown population. The mixture in unit sizes will offer a corresponding range of rental rates, which will accommodate a mix of household incomes.

The project will establish a denser urban character for the area while preserving the existing green features through the new public segments of the Riverwalk. The African rain tree will be relocated and preserved in a new pocket park, and several shade trees will be planted, while the garage will be lined with green screens. The existing boat storage building and marina element will also be preserved. The project's public amenities will increase pedestrian activity, which is likely to strengthen both the local economy and the safety of the surrounding neighborhood. The Riverwalk segment will contribute to the City's investment in that area, and as additional segments are filled in, the Riverwalk is expected to become a continuous public amenity on both sides of the river.

Staff recommended that the Board approve the proposal with conditions as outlined in the Staff Report, with the exceptions of conditions 3 and 4, which will be addressed by a subsequent development agreement between the City and the Applicant and will be subject to a bond secured by the Applicant for completion of all public improvements.

Ms. Parker stated that Staff would like to clarify the transportation conditions included in the Staff Report.

Dennis Girisgen, Engineering Design Manager, explained that Staff has met with the Applicant's team, and an update is necessary to condition #8. He advised that while Staff is in general agreement with the mitigation described earlier by Mr. Vargas, they would like to make further clarifications to Staff's understanding of certain conditions. Staff wishes to have advance signage and control devices for the bridge at 4th Avenue, as this will provide some direction to trucks. This

signage would be placed in advance of 4th Street and 4th Court, and a physical control device may be placed there as well.

Mr. Girisgen continued that Staff would also like the inclusion of transportation demand management measures. In addition to on-site bicycle storage facilities, Staff would also like the Applicant to make information available on alternative modes of transportation, such as B-Cycle, the WAVE streetcar, and other transit stops. These could be placed in a kiosk at the site or in a conspicuous location in the building, or listed on a website.

He added that Staff understands the Complete Streets improvements to include Riverwalk at SW 3rd Avenue to SW 6th Street, and SW 6th Street between SW 4th Avenue and Andrews Avenue. These will include a "traveled-way" design that reflects a balance between pedestrian connectivity, sidewalk bicycle lane facilities, safe pedestrian crossings, enhanced traffic calming measures, sustainable green streets that allow for appropriate drainage, and transit amenities where appropriate.

Ms. Desir-Jean requested clarification of the request for advance signage and control devices. Mr. Girisgen explained that there have been difficulties with trucks passing beneath the 4th Avenue bridge, which is low on one end. In anticipation of additional truck activity at the site, Staff would like to place physical warning devices in advance of 4th Avenue and 4th Court in order to steer trucks away from this area. If this had not been included in Mr. Vargas' presentation, Mr. Girisgen advised, Staff would like to include this recommendation as a condition.

Motion made by Mr. Cohen, seconded by Ms. Desir-Jean, to allow additional time for rebuttal, due to the discussion about the trees.

Mr. Cohen clarified that this additional time would be limited to five minutes.

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

Vice Chair Hansen commented that the members' information packets included the minutes from the September 11, 2012 meeting of the Historic Preservation Board, which had found the project to be incompatible by a vote of 6-0. He asked if there has been any further discussion of the project with that Board, or with members of the Historical Society, since the September meeting. Mr. Robinson said he was not aware of any such discussion.

Vice Chair Hansen asked if this vote by the Historic Preservation Board had any effect on the decision-making process. Ms. Parker said Staff believes the guiding documents for the project to be the Downtown and New River Master Plans.

Mr. McCulla observed that there are 19 Staff conditions attached to the project, as well as the enhancement of at least one condition as described by Mr. Girisgen. He recalled that the Applicant had taken exception to conditions 3, 4, 7D, and 8, and asked if Staff stood by their condition that all Riverwalk improvements would need to be completed at once rather than in a phased approach. Ms. Parker said as long as this issue is secured by a bond, Staff was comfortable amending this condition. She recalled that Mr. Robinson had referred to the amendment of conditions 3 and 4 in this manner.

Mr. McCulla asked if the amount of the bond has been discussed by Staff and the Applicant. Ms. Parker said there had been no such discussion at this point. Ms. Toothaker said the Applicant has agreed to prepare specific engineering estimates: a typical bond is for 125% of this estimate.

Mr. Girisgen said Ms. Toothaker's description was accurate, adding that the Applicant would submit a cost estimate for the Riverwalk improvements, which would be submitted to Staff for review and concurrence.

Mr. McCulla asked for clarification of Mr. Girisgen's description of the change to condition 8. Mr. Girisgen explained that his description would replace Staff condition 8, as Staff had met with the Applicant over the past several days to clarify aspects of the traffic study.

Mr. McCulla asked for more information on condition 8.i.8, which referred to a pedestrian connection to the FEC area. Mr. Girisgen clarified that condition 8 was no longer a condition, and would be replaced by what Mr. Vargas had read into the record and included in the traffic study executive summary, in addition to the clarifications presented by Mr. Girisgen. The reference to FEC was no longer part of Staff conditions.

Ms. Toothaker advised that condition 8 as included in the Staff Report has been entirely replaced by the accepted and approved traffic study, including specific offsite improvements to be made by the Applicant. She stated that Mr. Girisgen's clarification had included additional items not mentioned in the Staff Report, including signage, TDM measures, and Complete Streets concepts within the available right-of-way, all of which have been agreed to by the Applicant.

Mr. McCulla recalled that Mr. Vargas had referred to Complete Streets in one north/south area, while Mr. Girisgen had referred to two areas. Mr. Girisgen pointed out that discussions between the Applicant and Staff had included a Complete Streets aspect on 6th Street between 4th Avenue and Andrews Avenue.

Ms. Toothaker said this improvement was on one side of the street along the entire street. Mr. Girisgen said Staff's understanding was that this would also extend east/west on Andrews Avenue, as he had previously stated. Ms.

Toothaker said the Applicant's understanding was that this would apply pedestrian and bicycle improvements on the north side of the street, within the available right-of-way, while Mr. Girisgen said Staff's recollection was that the entire corridor would feature Complete Streets improvements based on right-of-way availability. Ms. Toothaker said the Applicant would agree to include this area as well if the right-of-way is available. She added that these improvements would be phased as part of the performance bond agreement.

Vice Chair Hansen asserted that he would be more comfortable if this information was stated in writing before the Board was asked to vote on it. Ms. Desir-Jean agreed that these agreements should be written and entered into the record appropriately. Ms. Toothaker said a member of the Applicant's team would execute this, and the change would be read in as a site plan condition.

Mr. Ferber commented that there had been no mention of accommodating tractor-trailers externally in the Staff report, and asked if this had been agreed upon as well. Mr. Girisgen explained that while this was not part of the traffic impact analysis, Staff did not object to this plan, as there was no loading zone requirement for the project.

Mr. McCulla said this would mean an amendment to Staff condition 7D, which prohibited loading and unloading within a right-of-way. Mr. Girisgen confirmed that this prohibition could be removed from the Staff conditions.

Vice Chair Hansen recalled that Mr. Vargas had referred to a loading area on the west side of the project along 4th Avenue. Ms. Toothaker said the Applicant had originally included a large truck loading zone on the west side of the westernmost building, but had been asked to replace it with parallel parking spaces. She advised that the Applicant had opted to accommodate these trucks on the eastern side of the westernmost building, which was likely to be preferable to Esplanade residents; when phase 2 of the project is completed, there would be a permanent loading zone for large trucks to the east of the central building.

Vice Chair Hansen asked why the originally planned loading zone had been removed from the site plan. Mr. Girisgen explained that if this area was not used for loading, it could be used instead for parking spaces. He noted, however, that he was not aware of this specific location having been proposed as a loading zone, as it had not been shown on the most recent site plan he had seen.

Ms. Toothaker clarified that there had been two issues: the original large truck loading zone had been replaced by three parallel parking spaces, and this area could also be used by cars dropping off passengers who wished to access the property. This area would not be used by trucks.

The Board took a brief recess, and the meeting resumed at 8:55 p.m.

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

Dan Lindblade, President and CEO of the Greater Fort Lauderdale Chamber of Commerce, stated that the Chamber's Board of Directors had voted unanimously in support of the project. He added that he is also a member of the Winterfest Board of Directors, and submitted a letter of support from its CEO, Lisa Scott-Founds, into the record as Exhibit 1.

Mr. Lindblade continued that the project would provide millions of dollars in tax revenues and would be an iconic development within the Downtown area. He noted that the recent Visioning Committee had referred to developments of this type when discussing what they wished to see within the City.

Bill Paulson, private citizen, said he is a resident on the south side of the New River. He agreed with Mr. Lindblade's description of the proposed project, noting that Marina Lofts would provide attractive and affordable housing, and would include access to multiple modes of transportation, including the WAVE and the Water Taxi. He concluded that he was strongly supportive of the project.

Bruce Cummings, President of the Tarpon River Civic Association, said this community would be directly affected by the proposed development and wished to state their concerns. She advised that there are presently numerous unresolved issues at this time, including the following:

- Size, scope, density, and orientation of buildings, and their compliance with the Master Plans;
- Traffic and its manifestations;
- Parking and the request for a parking reduction;
- Relocation of electric transmission lines;
- Number of units; and
- Shadow and canyon effects created by the project.

Ms. Cummings asserted that it is imperative that the Master Plans be followed more closely, as they were developed with the input and consensus of the area's business and residential communities. She pointed out that thus far, none of the projects approved on the south side of the New River have adhered to these guidelines. The proposed project would lie on the last piece of undeveloped land along the New River, and could create a "canyon wall" effect on the entire south side of the New River.

She concluded that the Board should see a complete site plan before recommending the project to the City Commission for approval. She added that the information presented to Staff is incomplete, as would be discussed by subsequent speakers.

Ralph Stone, private citizen, stated that he resides across the street from the proposed project. While he is a proponent of tall buildings and density, he felt Marina Lofts was an incomplete project and its site plan was overdeveloped.

Mr. Stone asserted that he has testified in court at the federal and State level as an expert witness in comprehensive planning and development regulation. He advised that the proposed development is inconsistent with the Downtown and New River Master Plans, and that the Esplanade property will be directly harmed by the impact of the development. He cited the following concerns:

- Traffic impacts from ingress/egress on SW 4th Avenue as a result of the westernmost parking garage;
- Lack of thorough analysis of traffic impacts, as reflected in the comments and conditions recommended by the City's traffic engineer;
- Overflow parking demand created by the requested parking variance, as there is no on-street parking available;
- A flawed parking reduction study, as there will be insignificant shared parking at the location and insufficient evidence that bicycle and pedestrian options will contribute toward a reduced parking requirement;
- Unresolved relocation of electrical transmission lines;
- Lack of pedestrian safety of the Riverwalk segment in front of the marina;
- Inconsistency of the building design with Master Plan guidelines, including flat roofs, lack of stepbacks, and incorrect orientation;
- The precedent that could be set by approval of the proposed project; and
- The lack of the developer's right to the proposed number of units within the project's zoning district, which should be balanced by the Master Plans, neighborhood plan, development regulations, and the City's Comprehensive Plan.

Mr. Stone concluded that the requested parking reduction was the result of the Applicant's desire to include more units and less parking.

Janet Scraper, member of the Esplanade Development Review Team, advised that she and other Esplanade residents, representing the owners of 55 units within the building, have closely studied the proposed plan with regard to its impact on traffic. She stated that the area is constricted by two drawbridges, the FEC rail line, the New River, and 6th Street. The proposed ingress/egress to the project will be on 4th Avenue, which is a small road that experiences drainage issues. Ms. Scraper stated that the turn in this area is too sharp to accommodate semi trucks, which also cannot pass beneath the 4th Avenue bridge.

She continued that this area is not included in the Applicant's traffic study, which cited a lack of sufficient traffic issues in the area as the reason for its exclusion. Ms. Scraper said she strongly disagreed with this statement, adding that large trucks, such as fire engines, moving vans, and garbage trucks, have to back out

of 4th Avenue and turn onto 4th Court, which is disruptive to traffic. She showed photographs of a moving van on 4th Avenue, which unloaded onto the street because the Esplanade does not have a loading zone. If the proposed project is added, it will also lack a loading zone. The drop-off area for Marina Lofts also lacks a covered portagere, which Ms. Scraper felt would lead to cars coming to the Esplanade's portagere to turn around and exit the area.

She observed that when the loading zone was discussed with City Staff, the Applicant was asked to move this area to the alley; however, the Applicant had made no concession for large semi trucks or tractor trailers. The area between the central and easternmost buildings would feature a loading zone for large vehicles in the center of the pedestrian walkway. Trucks on 3rd Avenue must also back out into 4th Court, and boats are loaded or unloaded on this street as well for processing into storage. Ms. Scraper concluded that none of these issues were resolved following discussions with City Staff.

Ralph Enderby, private citizen, stated that he is a resident of Esplanade. While he felt the entire community would like to see an iconic project along the New River, he asserted that they also felt the project is very large and should be scaled down, as it is dissimilar in scale to other projects within the area.

Mr. Enderby said Marina Lofts should be compared to six projects that have already been built, including the Esplanade and the Las Olas Grand, which have an average density of 121 units per acre; by comparison, he said Marina Lofts' density comes to 166 units per acre only if the density is spread across the entire six-acre parcel. Mr. Enderby pointed out that the buildings themselves are not located on the entire six acres, but are on the 3.3 acres remaining when the Riverwalk, boat storage facility, and proposed rain tree pocket park are removed from the total. He stated that this brings the project's density to 399 units by comparison to other developments along the river.

Mr. Enderby continued that some of the Applicant's comparisons to nearby projects include the New River Yacht Club, which has not yet been constructed. He characterized these methods of comparison as erroneous, stating that they allowed for more acceptable calculations of density.

Mr. Enderby recalled that the Applicant's original presentation to Esplanade residents stated that power lines would be moved underground; however, at a later presentation, the proposed relocation of these lines was stated to be "along the FEC railroad tracks." He stated he had spoken to FEC representatives, who were unaware of this possibility. He noted that tonight's discussion had once more referred to the lines as potentially moving underground, and possibly located on a portion of the Riverwalk segment.

Mr. Enderby concluded that he felt the plans must address the issue of transmission line relocation, and urged the Board to recommend against approval until they have seen these plans in writing. [Mr. Enderby submitted materials for the record as Exhibit 6.]

Mr. Witschen stated that the issue of the power lines was not relative to what the Board is asked to vote on, and would need to be dealt with by the appropriate regulatory agencies. He emphasized the need for forthcoming presentations to provide only relative information in the interest of time.

Robert Grantelli, private citizen, stated that he is also a member of the Esplanade Development Review Team. He asserted that the team represents 54 units of the Esplanade, which requested that the team speak for them instead of the development's elected Board.

Mr. Grantelli noted that within the boundaries of SW 4th Avenue, 6th Street, and S Andrews Avenue, parking is not allowed on the street except for a small area in front of a Publix. He advised that the Esplanade Development Review Team felt the proposed project would result in an overflow of traffic in this area with no public parking.

Mr. Grantelli said the residents represented by the team felt they would be harmed by this overflow, as the Esplanade's garage is opposite the proposed western building of Marina Lofts. The Esplanade has 25 guest parking spaces that are open to the street. These residents felt visitors, residents, or employees affiliated with Marina Lofts would use these parking spaces, requiring greater focus on this issue by Esplanade staff.

He continued that restaurant and retail staff, boat storage facility employees, marina employees, and valets would take up "hundreds of spaces" within the proposed project. Mr. Grantelli concluded that both extra staff and signage would be required by the Esplanade to prevent issues associated with the potential traffic overflow from Marina Lofts.

David Rose, Chair of the Tarpon River Civic Association's Development Review Committee, said he had reviewed the project for several months on behalf of the neighborhood and was pleased to see that many of the concerns raised by Tarpon River residents have been addressed; however, he added that he has additional concerns, particularly related to parking. He stated that he would like to see the agreements made about parking put into writing so their meaning is clear and follow-up can confirm that they were properly executed.

Mr. Rose added that he would also like to see the traffic diagrams showing the right-of-way in the subject area, and how this right-of-way would be used to alleviate potential traffic issues.

He continued that while the Riverwalk is indicative of good planning within the community, it was not originally envisioned to extend all the way to the railroad tracks. He felt the bond cited by Mr. Cymbal would address the concern of some Esplanade residents who had felt this complete segment of the Riverwalk might not be created. Another issue with Riverwalk is the lack of a connection at the 4th Avenue bridge, which prevents pedestrians from completing the entire loop. He felt this connection should be made using a stairway at the bridge to integrate the entire Riverwalk.

Mr. Rose noted that the western and middle buildings of Marina Lofts were constructed in a way that did not allow them to be considered stand-alone buildings, but part of "an integrated whole," as they are designed to fit together. He added that the gap between these buildings did not comply with regular spacing requirements, as stated earlier by Staff, and should be constructed together to create a single complete building.

Ms. Tuggle asked if Ms. Cummings and Mr. Rose were representatives of the same association. Mr. Rose clarified that Ms. Cummings is President of the Tarpon River Civic Association, and he is Chair of that Association's Development Review Committee.

Ms. Tuggle observed that while the Board had been under the impression that each speaker from the Association would address a different topic, multiple speakers had addressed the same issues, such as traffic and parking. Mr. Rose said he wished to address an aspect of the traffic issue that had not yet been raised by another speaker.

Attorney Spence advised that members of the public should use their time to make their desired comments without direction by the Board. He also recommended that all individuals yielding their time to other speakers do so before that speaker began his or her comments, rather than after the fact.

Vice Chair Hansen added that time may not be yielded to individuals who have already addressed the meeting.

Beverly Grant, member of the Tarpon River Civic Association's Board, said the size of the project's buildings would have a damaging effect on the north side of the river and the Historic District in particular. She stated that critical times during the winter months, such as late morning and afternoon, were omitted from the Applicant's study. Ms. Grant concluded that Staff should continue to work with the Applicant on this and other issues, and should ensure that all attached conditions are submitted in writing and reviewed by both Staff and the neighborhood. She felt the information presented to Staff thus far is incomplete.

Kit Denison, private citizen, said he is employed by Apex Marine, which is owned by the group that will build Marina Lofts. He stated that he is excited about the project, as it helps the marine industry by keeping boats in storage and at the marina and provides a Water Taxi stop. He concluded that the project is an iconic architectural achievement and is necessary to provide connectivity to the Riverwalk.

Susan Engle, Broward Commissioner for the Florida Inland Navigational District (FIND) and founder of the Clean Marina Program, emphasized the importance of keeping a marine element within the proposed project, as well as the continuation of the Riverwalk. She said she was supportive of the project.

Frank Herhold, member of the Riverwalk Board and Greater Fort Lauderdale Chamber of Commerce Board, said the project is unique and can help preserve Fort Lauderdale's status as "the yachting capital of the world." He pointed out that 200 boat slips are being preserved by the project for the Downtown boating community, which was an important public benefit. He concluded that he was also supportive of the project.

Chuck Black, member of the Greater Fort Lauderdale Chamber of Commerce Board and the Riverwalk Board of Directors, said he is also a business owner in Downtown Fort Lauderdale. He advised that the City has had difficulty with affordable and workforce housing for some time, and the project would address the issue of workforce housing in particular by attracting young professionals. It will also activate the Riverwalk, preserve the environment, enhance marine interests, and provide a good source of tax revenue, while attracting additional economic development. He asked that the Board support the project.

Adriana Fazzano, private citizen, asserted that the City is experiencing a "brain drain" and must make a commitment to support innovation in efforts such as Marina Lofts. As many young people do not want to come to south Florida because of a lack of culture, intellectualism, and fields related to the arts and sciences, she felt the City should welcome the project as a means of attracting successful young people to the area.

John Calabrese, private citizen, said Downtown Fort Lauderdale needs mixed-income rental units, such as those that would be provided by Marina Lofts. He also noted there is a discrepancy between large office towers and limited residential space in the Downtown area, which he felt is a major reason why traffic is an issue for Downtown residents. Mr. Calabrese stated that his and other businesses could not grow if they could not attract new residents to the Downtown area.

Dan Norman, President of the Esplanade Board of Directors, said while he respected the opinions of his fellow residents who have formed the Esplanade

Development Review Team, the Board has not appointed or approved this entity to speak on behalf of the condominium association. He stated that in fall 2012, the Board of Directors passed a position paper expressing "general but conditional" support for the Marina Lofts project.

Mr. Norman summarized this paper, noting that it completes and continues the Riverwalk on the south side of the New River in order to make this area a thriving part of the community rather than its current status as a blighted area. It also stated that the Board of Directors found the concept and design of the project to be impressive and innovative, and would preserve the downriver views of the Esplanade's eastern-facing units.

He continued that the paper called for a reduction in height of the two Marina Lofts buildings located closest to the Esplanade, and expressed the Board's hope that the African rain tree on the property could be adequately relocated. It also commended the Applicant for his intention to relocate roughly 40 existing trees on the site.

While the paper had expressed concern with the overall size of the project, number of units, and its impact on traffic patterns in the surrounding neighborhood, Mr. Norman said the Applicant had addressed these and other concerns by reducing the height of the two previously mentioned towers and the number of units. The Applicant is also open to supporting traffic calming measures within the neighborhood, plans to add trees and greenery along the Riverwalk, and has made a verbal commitment to help Esplanade deal with the dirt and grime raised by the project's construction phase.

Mr. Norman concluded that the Board of Directors wished to maintain a positive relationship with the Applicant during the entire length of the project. He stated that he supported the project. Mr. Norman submitted the Board of Directors' position paper into the record as Exhibit 2.

Mr. Cohen asked if a list of the 55 residents comprising the Esplanade Development Review Team was available. Mr. Norman said he had not seen such a list and could not confirm the number of residents on it. He noted that there are a total of 139 units in the Esplanade.

Christopher Brennan, private citizen, said he is a native of Fort Lauderdale. While he felt Marina Lofts was a well-designed project, he did not believe it matched the City's overall aesthetic. He also felt it reflected a disregard for history, as the project would cast a shadow over the Historic District.

Steve Stitch, private citizen, said he was concerned that the Applicant was bringing a project to Fort Lauderdale when he has other unfinished projects elsewhere. He submitted materials to the Board as Exhibit 3. Mr. Stitch also

raised the issue of how the public could be expected to access the Riverwalk when boats are being moved in and out of dry storage.

Rob Hink, private citizen, said he is employed by a sustainable design consulting firm and is the past president of the U.S. Green Building Council, with experience on several Leadership in Energy and Environmental Design (LEED)-certified projects in south Florida. He pointed out that while Fort Lauderdale does not require LEED certification for buildings, Marina Lofts will be built using LEED standards and will promote public transportation. He added that providing less parking than required by Code will encourage residents and guests to look for alternative ways to access the project.

Joe Russo, private citizen, advised that the project would constitute a change in land use from "marina in to a condominium." He continued that the surrounding area consists of a neighborhood with varying types of residential buildings and homes rather than an undeveloped or blighted area as described earlier. Mr. Russo briefly described the history of the parcel and the surrounding area, noting that the property's function as a marina has consistently "[fought] a losing battle for space against real estate developers." He submitted a visual of the marina into the record as Exhibit 4.

Jan Ausbon, marketing director of the FAT Village Arts District, read a letter from resident Doug McGraw, founder of the Arts District. Mr. McGraw's letter expressed his full support for the Marina Lofts project, advising that the project would provide a new way of looking at the urban model for structure, density, transportation systems, and property uses. Ms. Ausbon submitted the letter into the record as Exhibit 5.

John O'Connor, editor-in-chief of *Tropic* magazine, praised the architectural design of the project, citing the "rip" between structures and the openness of the project in particular as creative, vibrant, and attractive to a younger generation. He felt the project would also be an economic engine for the City.

Charles King, private citizen, stated that while he is typically pro-development and pro-property rights, the fact that the City Commission had taken steps to protect the African rain tree should not be overlooked or set aside. He also expressed concern with the size of the project and the number of rental units it will provide in a single location, as he felt a smaller development would be more appropriate within an area near the Historic District. Mr. King concluded that a bond in relation to the relocation of the rain tree should have a longer time frame than a single year.

The Board took a brief recess at this time and reconvened at 10:57 p.m.

Kelly Alvarez Vitale, private citizen, said she resides and owns a business in the Downtown area. She asserted that Fort Lauderdale should strive to be a great city rather than merely a good one, and felt Marina Lofts was an example of this greatness. She stated that the project would attract younger generations to remain in or move to the City and reside in an urban core environment, where they would contribute to the economic development of the City. She urged the Board to support the project.

Hilary Lewis, senior editor of *Tropic* magazine, advised that it is not always easy to understand or accept new ideas in architecture, and noted that the project's architect has received international acclaim. Ms. Lewis added that the City was home to a great deal of interesting and innovative architecture in the 1950s and 1960. She felt Marina Lofts could be part of a movement to return Fort Lauderdale to this tradition.

Nicholas Sakhnovsky, private citizen, submitted materials into the record as Exhibit 7. He pointed out that there is often flooding in the area near the Housing Authority, and recommended that the ongoing drainage issues in this area be addressed along with streetscape and other improvements. He pointed out that there is insufficient room for large trucks to exit the area due to the height of the bridge, as previously noted, and advised that trucks unloading on 4th Avenue would block egress from nearby properties if they are allowed to unload in the public right-of-way. He urged the Board to see that this is resolved before the Application is advanced to the City Commission.

Mr. McCulla asked if Mr. Sakhnovsky was familiar with the traffic calming measures proposed for 5th Avenue. Mr. Sakhnovsky said the wording of these measures should be clarified further.

Fritz Hrubenak, private citizen, advised that he has seen several condominiums and other projects constructed in the past that were expected to contribute to traffic and other issues, but had not had the negative effects that some people had predicted.

Marty Kurtz, private citizen, said he is a longtime resident of Fort Lauderdale and has served on the Downtown Development Authority (DDA) and Riverwalk Boards in the past. He noted that the original vision of the Riverwalk had included both sides of the river, but the missing segment was not completed at the time. Mr. Kurtz said the perception during his time on the DDA was that both the Downtown and beach areas were urban corridors of the City and should be treated differently from other areas.

He continued that the Riverwalk Master Plan called for a network of distinct public spaces, high-quality architecture, and urban design; while the current Downtown resembles this vision, there are still gaps yet to be filled. The

completion of the south side of the Riverwalk would serve to fill one of these gaps while fitting within the Riverwalk and Downtown Master Plans, preserving marine use, and providing housing for Downtown workers. He strongly recommended approval of the project.

Jennifer Schmacman, private citizen, said she lives off 4th Avenue and is co-owner of a business located on the marina property. She stated that she and other marina business owners had experienced insecurity due to the previous landowners until the Applicant had provided them with a sense of security that the marina would remain public. She felt the proposed mixed-use property would generate revenue for the City, and concluded that she felt they were in good hands with the Applicant.

Tom Godart, private citizen, said he is a longtime resident of the City and a real estate developer. He felt Marina Lofts' unique design would reinvigorate the south side of the New River and create active space to be accessed by cyclists and pedestrians. He felt Fort Lauderdale had an opportunity to attract young professionals by providing affordable housing within the heart of the Downtown RAC. He urged the Board to support the project.

Vince Yarina, private citizen, said his engineering and consulting firm, located in Miami, has worked with the Applicant on past projects. He asserted that he was supportive of the project as an important aspect of the redevelopment of the underused south side of the New River, as well as the smart growth of Downtown. He agreed that affordable housing will attract and retain young professionals. He asked that the Board support the project.

Joseph Belmont, private citizen, said he is in favor of the Marina Lofts project. He advised that in order to remain relevant, a project must attract users and retain high occupancy rates. He felt he project would be socially relevant, would provide walkability in the Downtown area, and would remain affordable and desirable to residents. He asked that the Board support the project.

Emilee Abisror, private citizen, said she is in favor of the project. She stated that the City has a great deal of untapped potential, as there are not a great many activities for residents; she felt Marina Lofts would be a step toward addressing this problem. She added that the Applicant shared many of the residents' concerns that were expressed earlier in the meeting. She concluded that the City should be willing to evolve and accept change, as exemplified by the project.

Mark Meents, private citizen, said he did not feel the project was an example of innovative architecture, and did not believe many of the issues raised by the public had been addressed by the Applicant. He observed that the process had been "misleading," from height issues and the matter of posting notice of the meeting to the description of other projects undertaken by the Applicant. Mr.

Meents said he was concerned that only one of the three buildings would be constructed, and pointed out that the Riverwalk would not be completed, as it would still be "a dead end" at the FEC railroad tracks unless a project is developed on the other side. He concluded that there were more promises than hard facts presented at tonight's meeting.

Samantha DeBianci, private citizen, asserted that she was a strong supporter of the Marina Lofts project. She advised that there is a 5% vacancy rate in the City, and available units are often very expensive. The proposal of a luxury waterfront project with affordable units is needed so young professionals can remain in the community.

Jonathan Schwartz, private citizen, felt the project's walkable urban environment was not only attractive to members of his generation but to businesses and leisure activities as well. He stated that it is not unusual for young professionals to select the environment in which they wished to live before seeking a job in or near that environment. He felt Marina Lofts would be an attractive project to this population.

Vicki Grodner, private citizen, said she is a longtime commercial real estate broker. She expressed concern that Fort Lauderdale has not experienced the growth it needs, and added that major corporations often choose to move to other states due to a lack of affordable residences for their employees.

Rose Bechard-Butman, private citizen, stated she is a certified arborist and horticultural consultant. She did not feel the issue of the protected African rain tree could be separated from the discussion of the project, as the tree is listed as an asset of the plan and must be moved in order for the project to proceed. While she was in favor of affordable housing and greater activity along the New River, she did not believe this should be achieved at the cost of a part of the City's history and natural resources.

Ms. Bechard-Butman observed that the Applicant's narrative refers to the relocation and preservation of more than 70 mature trees and palms from the property, including the African rain tree. She pointed out that there are over 200 existing palms and trees on the subject site, only two of which would remain in their current location. Only 16 trees would be relocated on the site itself, with the remainder to be relocated elsewhere within the City.

Valerie Amor, private citizen, stated she owns both an architectural firm and a real estate firm, and is a LEED-accredited professional who also teaches LEED. She felt the project would present too great a cost to the City and would send the wrong message regarding future sustainable development.

Ms. Amor continued that the African rain tree is protected by a 1987 Ordinance prohibiting its removal or damage. She noted that moving the tree to another location would mean it received less sunlight. She advised that the tree provides carbon sequestration and serves to stabilize the riverbank, which is vulnerable to increased flooding. She stated that this would need to be addressed in response to the recent climate change element that was added to the Broward County Land Use Plan. Ms. Amor concluded that the risks to the rain tree do not promote environmental stewardship and cannot be balanced by the inclusion of green roofs and walls. She asked that the Board vote against the Application.

Bill Walker, co-owner of Water Taxi, stated that his business currently transports more than 300,000 passengers each year. He stated that Water Taxi has worked with the Applicant to encourage more use of the waterways, and commented that the City has pushed many commercial marine operations away from the Downtown and New River areas in recent years. Mr. Walker felt the project's access to the City's waterways and use of Water Taxi would accomplish the goal of adding vibrancy to the area and encouraging greater waterway use. He concluded that he was supportive of the project.

Bob Swindell, CEO of the Greater Fort Lauderdale Alliance, said this organization spends a great deal of time marketing the City as a destination. He agreed with earlier testimony regarding the impact of young professionals on the City and on the Downtown/New River area in particular. He added that the Applicant has worked to accommodate many concerns regarding Marina Lofts, and asked that the Board support the project.

Mara Shlackman, private citizen, said she was the legal Chair of the Broward Sierra Club, which has prepared a resolution against moving the African rain tree. She stated that she did not feel the tree would survive relocation, and also expressed concern that the project did not adequately address climate change, project density and alignment, and shadows. She encouraged the Board to listen to the concern expressed by the Historic Preservation Board and similar advisory entities. She asked that the Board vote against the project.

Shannon Harmeling, private citizen, stated that the City is in need of affordable housing, which is not provided by many of the new projects currently in development. She said she was in favor of Marina Lofts, and thanked the Applicant for having taken time to meet with the community and respond to their questions. She concluded that she would like to see the project proceed.

Randall Vitale, private citizen, advised that while he is Chair of the Fort Lauderdale Visioning Committee and serves on the Board of Riverwalk Fort Lauderdale, he was not speaking in an official capacity for either entity at tonight's meeting. He asserted that he hoped to see the City reach its full potential, and felt the "vocal minority" that had spoken against the proposed

project had a disproportionate influence within the community. Mr. Vitale said many of the 2035 Visioning Plan's strategic and tactical recommendations are incorporated within the Marina Lofts project.

He noted that the Visioning Plan expressed a desire for its ideas and changes to be implemented in the near term rather than postponed until closer to 2035. Mr. Vitale also stated that City Staff had recommended the project, and pointed out that their expertise should not be discounted. He encouraged the Board to vote in favor of the project.

Kathy Schauer, private citizen, clarified that while she is a member of the Esplanade's Board of Directors, she was not speaking in a representative capacity at tonight's meeting. She advised that when she moved to the City's historic district, a great deal of green space still surrounded the area; when new buildings came to the area, however, she had found them to be an improvement. She felt this would be the case with Marina Lofts, and agreed that the project is consistent with the Downtown Master Plan. She felt it would enhance the south side of the river and improve property values.

Richard Perez, private citizen, said he is a resident of the Esplanade. He advised that he has lived in several major urban areas, and has wished for some time that Fort Lauderdale would develop a similar "user-friendly" urban environment. Mr. Perez said his concerns regarding Marina Lofts have been addressed over the course of several presentations, and he felt the Master Plans' guidelines were consistent with the project.

Bowman Sherouse, private citizen, stated that he has experience in roofing, ecological design, and tree care. He asserted that the project has potential to educate the public on the issue of tree movement, and emphasized the importance of the project's green roof design, which he felt could set a precedent within south Florida.

L. Thomas Chancey, landscape architect and arborist, advised that he is the owner of a nationally sanctioned wildlife sanctuary. He stated that he has been concerned for many years about the loss of the existing tree canopy within Fort Lauderdale and Broward County. He did not believe the African rain tree could be successfully relocated.

Hector Torres, private citizen, said he was excited about the proposed project. He emphasized the importance of locating Marina Lofts on a formerly blighted property, and said the project is in the best interests of the community.

There being 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.

Ms. Desir-Jean requested clarification from Staff regarding approval of the requested 30% parking reduction. Diana Alarcon, Director of Transportation and Mobility, replied that Staff had considered the project as a whole and recognized that it would bring in multiple modes of transportation. Because the project will be built over time, Staff had focused on connectivity to projects such as the WAVE and other forms of transportation, which were used as a mitigation tool for both the parking reduction and the traffic impact. She explained that these were reasons Staff felt it was important to include Complete Streets, as well as connectivity to the WAVE stops and a greenway on SW 4th Avenue.

Ms. Desir-Jean asked if Ms. Alarcon had any concerns regarding the Applicant's request for a parking reduction. Ms. Alarcon said she did not.

Ms. Desir-Jean continued that she would like to know why the 6-0 vote from the Historic Preservation Board (HPB) was included in the members' information packets. Anthony Fajardo, Zoning Administrator, explained that Policy 1.11.3 of the Comprehensive Plan's historic preservation element requires that impact to historically designated properties must go before the HPB for review and comment. Because the subject property is located across the river from historically designated structures, the Item was brought before the HPB. Although approval or denial of the project is not part of the HPB's purview, their review and comments were provided to the Planning and Zoning Board for consideration.

Vice Chair Hansen advised that if the guidelines of the New River Master Plan had been followed, there would have been a stepback to the proposed project and consequently less of an issue with shadows. He emphasized the historic importance of the New River Inn in particular, which would be affected by the full shadow of the proposed building. While he did not wish to disrupt the planning of the Marina Lofts project, he pointed out that relocating some units and/or lowering the height of two buildings would have much less effect on the historic district.

He continued that he was also concerned with the green area along the New River, which is clearly emphasized in the New River Master Plan. While the proposed plans propose brick areas and a tree grate, Vice Chair Hansen stated that he would rather see a green area that was more consistent with the New River Master Plan. He suggested that the green space could be shifted to make it a better fit with the Master Plan.

Vice Chair Hansen concluded that he would also like to see the loading/unloading issue addressed, as this could create a daily nuisance to residents and travelers in the subject area. He pointed out that the surrounding streets are very narrow, and recommended a simple change to the site plan to

resolve this issue. He added that residents of the Esplanade should seek to solve similar problems on their property as well.

Mr. McCulla recalled that the project was described as consisting of 82% one-bedroom or efficiency units, and noted that the City's requirement for both these types was 1.75 parking spaces per unit. He asked if this was considered a typical requirement. Mr. Vargas responded that he found this requirement excessive, and explained that the Applicant's analysis was based on documents from the Institute of Transportation, which provides a significantly lower recommendation of 1.2 spaces for high-rise urban projects. Mr. Vargas noted that the Applicant had used a higher number of 1.52 as a starting point before shared use and other parking considerations were applied. He felt this was a conservative estimate.

Mr. McCulla asked if the 32% figure used for the parking reduction request, when combined with the mixed-use aspects of the project and the multimodal forms of transportation that are immediately accessible, was misleading. Mr. Vargas agreed with this, stating that the 32% figure did not take any of these additional factors into consideration.

Mr. McCulla stated that the Master Plans, while important guidelines, constituted neither Code nor Ordinance and were not requirements for projects. He added that the Applicant has designed an urban mixed-use project, retained the marina, and integrated multimodal transportation, which he felt had contributed to Staff's recommendation of the project. He concluded that he was supportive of the project.

Mr. McCulla asked if the Staff conditions had been clarified in writing. Ms. Toothaker confirmed this, reading the amended Staff conditions into the record as follows:

- Condition 3 is amended so that a bond will secure the Riverwalk improvements in the amount equaling 125% of construction costs. A breakdown of the estimated construction costs will be provided by the Applicant for review and concurrence by Staff prior to submission of the bond.
- Condition 7D has been deleted.
- Conditions 8A through 8J have been deleted.
- Condition 9 has been deleted.
- The mitigation described in the executive summary prepared by Applicant's traffic engineer, Mr. Joaquin Vargas, included in the Board's backup for the May 14 public hearing, is hereby incorporated by reference, subject to minor revisions that are mutually agreed by Staff and Applicant. The mitigation that was described by Mr. Vargas during the Applicant's opening presentation and made a part of the record at the public hearing

on May 14, 2013 are hereby incorporated as further clarifications to the mitigation described in said executive summary.

- Further, the following conditions have been added. These conditions are subject to the same agreement on phasing, with 125% completion bond posted prior to the issuance of the first building permit:
- Applicant shall provide advance-warning signs and control devices advising trucks of the low bridge crossing at SW 4th Avenue and SW 5th Avenue. The signs and devices shall be placed in advance of the intersection of SW 4th Avenue and SW 4th Court.
- Applicant shall provide route and schedule information to tenants and patrons for alternative modes of transportation, such as mass transit, B-Cycle stations, the WAVE streetcar, and Water Taxi. The information shall be posted on a website or at kiosk information stations in visible and conspicuous areas within the project sites of each phase.
- Subject to available right-of-way, Applicant shall design and construct Complete Streets on SW 3rd Avenue between (1) the New River and SW 6th Streethe travelway design shall incorporate a balance between pedestrian realm connectivity (the sidewalk), bicycle lane facilities with safe pedestrian crossings, enhanced traffic calming, sustainable green streets that allow for appropriate drainage, and transit amenities; and (2) SW 6th Street between SW 4th Avenue and S Andrews Avenue. The travelway design shall meet the intent of the New River Master Plan streetscape section, a balance between pedestrian realm connectivity (the sidewalk), bicycle lane facilities with safe pedestrian crossings, enhanced traffic calming, sustainable green streets that allow for appropriate drainage, and transit amenities that provide connections to planned WAVE streetcar stations. Bicycle facility connections shall be provided from Marina Lofts development to the future SW 4th Avenue bicycle facility from Snyder Park to Broward Boulevard.

Ms. Toothaker concluded that the Applicant has agreed to the above conditions.

Mr. Cohen asked Vice Chair Hansen to clarify his concerns regarding shadowing, as he did not see this cause for concern reflected in the Applicant's shadow study. Vice Chair Hansen said while his concern was not illustrated by the still photos, there was a significant period of time, beginning on December 22, during which the entire New River Inn would be covered by shadows. He also noted that an individual's testimony before the HPB had referred to the effect of shadows cast by the Esplanade, which is a smaller building than the proposed project's structures.

Ms. Toothaker pointed out that the Marina Lofts project has decreased in height since its presentation to the HPB; in addition, the Applicant's representative who had performed the shadow study had been brought into the project after this presentation in order to address some of the issues that were raised during that

hearing. She also advised that the ULDR dictates a shadow study must illustrate the shadows at the worst time of day during the worst time of the year, which meant these conditions would not apply during the majority of the year.

Mr. Abbate replied that the animation used during the Applicant's presentation had constituted a composite of the entire day. Vice Chair Hansen pointed out that at some point during the day, the entire New River Inn would be cast into shadow. Mr. Abbate asserted that this would happen for one hour on December 21; for the rest of the day, parts of the building may be in shadow after 1:30 p.m. He showed the animation sequence from the Applicant's PowerPoint presentation, to which Vice Chair Hansen had referred, concluding that the Applicant's team had not felt the project's impact was significant.

Chair McTigue asked if the Applicant had given any thought to stepping back the buildings, perhaps in a gradual slope from the 15th floor. Ms. Toothaker replied that the project's architect had felt this would not constitute good design.

Daniel Kidd, architect, said the original studies for the project had included building out to the property line; the buildings had been pulled back in order to preserve the views from the Esplanade, as well as to add light and air to the Riverwalk. He observed that a sloped building would be challenging in many ways, primarily affecting the need for a vertical core to the building to accommodate elevators and stairwells. Mr. Kidd pointed out that buildings of this type were not new to the City.

Chair McTigue noted that the balcony railings consist of stainless steel mesh, and asked if glass had been considered as a railing material. Mr. Kidd said the appearance of mesh is dependent upon the quality of product used. Chair McTigue added that in phase 3, the top of a structure would be squared off, and asked if this was in order to reclaim units lost during the first two phases of the project. Mr. Kidd said this was one reason, and noted that this was also to improve the appearance of the building's proportions.

Mr. Witschen stated that the building's design appeared to be very marketable and would fill a need for density in the Downtown area. He continued that he would like to see the project demonstrate its lower parking figures during its first phase before the reduction is automatically allowed for the second and third phases, and concluded that the marine aspect the project was particularly commendable.

Mr. Ferber requested clarification of the proposed solution to the high-tension FPL lines, asking if these lines would be undergrounded on the north side of the river. Ms. Toothaker explained that the Applicant would commit to undergrounding these lines from Broward Boulevard south to their existing location. Mr. Ferber asked if these lines would also move beneath the river and

continue underground to Broward Boulevard from the north side of the waterway. Ms. Toothaker said the existing lines cross the river into the historic district and reach a utility pole to the south of Broward Boulevard: this meant if the lines on the subject property are relocated, all the crossing lines must be relocated as well in order to connect to existing lines.

Mr. Ferber asked if the Applicant planned to ask for the City's participation toward the expense of relocating these lines. Ms. Toothaker said the Applicant did not plan to make this request of the City, although she stated that it is hoped other property owners who would benefit from the relocation might be willing to share in its expense.

Mr. Ferber commented that the City has been seeking to implement the WAVE streetcar for several years now, and noted that this effort includes significant land use initiatives in addition to transportation initiatives. He stated that the project is consistent with the goals and objectives of the City's Land Use Plan, as in the absence of sufficient density, the WAVE might be less successful: the project would contribute toward the density necessary to make the streetcar a success.

Ms. Tuggle thanked everyone who had attended the meeting for their politeness during the process.

Motion made by Mr. McCulla, seconded by Mr. Cohen, to approve the project, subject to the amended Staff conditions. In a roll call vote, the **motion** passed 9-0.

2. Communications to the City Commission

None.

3. For the Good of the City

None.

Chair

Prototype

There being no further business to come before the Board at this time, the meeting was adjourned at 12:59 a.m.

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