

**PLANNING AND ZONING BOARD  
CITY OF FORT LAUDERDALE  
CITY HALL COMMISSION CHAMBERS – 1<sup>ST</sup> FLOOR  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA  
WEDNESDAY, JUNE 19, 2013 – 6:30 P.M.**

**Cumulative**

<b>Board Members</b>	<b>Attendance</b>	<b>June 2013-May 2014</b>	
		<b>Present</b>	<b>Absent</b>
Patrick McTigue, Chair (dep. 8:39)	P	1	0
Leo Hansen, Vice Chair	P	1	0
Brad Cohen	A	0	1
Stephanie Desir-Jean (arr.6:35)	P	1	0
Michael Ferber	P	1	0
James McCulla	P	1	0
Michelle Tuggle	P	1	0
Tom Welch (arr. 6:39)	P	1	0
Peter Witschen	P	1	0

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  
Tom Lodge, Urban Design and Development  
Yvonne Redding, Urban Design and Development  
Randall Robinson, Urban Design and Development  
Anthony Fajardo, Chief Zoning Administrator  
Mohammed Malik, Chief Zoning Examiner  
Jay Sajadi, Engineering Department  
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

**Communications to the City Commission**

**Motion** made by Mr. Witschen, seconded by Vice Chair Hansen, that the Board would like to see improved dimensional requirements for B-1 zoning districts, as this district may be located adjacent to residential zoning districts. In a voice vote, the **motion** passed unanimously.

**Index**

	<b><u>Case Number</u></b>	<b><u>Applicant</u></b>
1.	47R13**	Premier Developers V, LLC / Galleria Landings
2.	1ZPUD08A1** *	Tiffany House LP / Tiffany House / The Escape Hotel
3.	8Z12** *	New Mount Olive Missionary Baptist Church, Inc.

4. 9Z12\*\* \* New Mount Olive Missionary Baptist Church, Inc.
5. 10Z12\*\* \* New Mount Olive Missionary Baptist Church, Inc.
6. 11Z12\*\* \* New Mount Olive Missionary Baptist Church, Inc.
7. 2P13\*\* New Mount Olive Missionary Baptist Church, Inc.
8. 3P13\*\* New Mount Olive Missionary Baptist Church, Inc.
9. 65R12\*\* New Mount Olive Missionary Baptist Church, Inc.
10. 45R13\*\* 69<sup>th</sup> Street Properties LP / Aldi
11. 28R13\*\* AZDD, LLC / Aquarium
12. 9P13\*\* Lofts at Tarpon River LLC / Pinnacle at Tarpon River Plat
13. 7T13\* City of Fort Lauderdale
14. Election of Chair and Vice Chair
15. Communication to the City Commission
16. 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 6:30 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.

Chair McTigue stated that Applicants and their agents are allowed 15 minutes of presentation time for an Item; representatives of associations and groups are allowed five minutes, and individuals are allowed three minutes.

Ms. Desir-Jean arrived at 6:35 p.m.

**Motion** made by Mr. McCulla, seconded by Vice Chair Hansen, to approve the minutes of the May 14, 2013 special meeting. In a voice vote, the **motion** passed unanimously.

**Motion** made by Ms. Tuggle, seconded by Mr. Witschen, to approve the minutes of the May 15, 2013 meeting. In a voice vote, the **motion** passed unanimously.

Chair McTigue advised that the Applicant of Items 3, 4, 5, 6, 7, 8, and 9 had requested that these Items be deferred until the July 19, 2013 meeting.

**Motion** made by Mr. Witschen, seconded by Ms. Desir-Jean, to defer [Items 3 through 9] as a group to [July] 19. In a voice vote, the **motion** passed unanimously.

Mr. Welch arrived at 6:39 p.m.

1. **Premier Developers V, LLC. / Galleria Landings** Yvonne Redding 47R13

<b>Request: **</b>	<b>Site Plan Level III – Waterway Use</b>
Legal Description:	All that portion of the north 400 feet of the south 903.85 feet of the Government Lot 7, section 36, Township 49 south, Range 42 east, Broward County, FL, lying east of Us. Highway No. 1 (Federal Hwy).
General Location:	1180 N. Federal Hwy
District:	2

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

Courtney Crush, representing the Applicant, introduced the developer of the proposed project and his team. She showed a PowerPoint presentation on the project, Galleria Landings, which would include 100 condominium units, a paddleboard retail store and rental facility, and waterfront offices. The mixed-use aspect of the project is permitted in the ULDR, pursuant to B-1 zoning regulations, as a conditional use, and is subject to adequacy requirements and neighborhood compatibility. The project requires the allocation of flexibility units, of which approximately 2400 are available for mixed-use projects in the subject zone.

Ms. Crush stated that the project is designed primarily as a glass structure. She described the irregular shape of the property, which sits on the water and introduces a residential component into the surrounding area. B-1 zoning permits mixed-use development, which means the property offers a mixture of residential and commercial uses in either one or two buildings. Galleria Landings offers mixed use in one building.

She continued that the Applicant wishes to improve and provide public access from Federal Highway to the water, which is suggested by the 2008 North US-1 Master Plan and is consistent with the City's goals regarding waterway use. She showed public perspectives of the proposed development, which will include a 7445 sq. ft. public plaza. The public, including cyclists, will be encouraged to come to the water, particularly by the paddleboard retail and rental store on the ground floor of the building. The property has more than 400 ft. of waterfront use, which will be activated by the public plaza.

Ms. Crush noted that one component of waterway use and mixed use is the consideration of adverse impacts, including neighborhood compatibility. She stated that the Applicant has attempted to design the project to the required Code for B-1 zoning districts, and has met twice with the project's immediate neighbors to the south, including residents of a two-building residential complex, to discuss their concerns regarding the proposed project.

Ms. Crush showed a visual of the site plan, explaining that the intent of the project is not to "tower over" the Middle River. At 40 ft., the building steps back nearly half the width of the property, and is slightly curved and oriented to the west. The property's western setback is required by Fire Code, as it abuts a turnaround.

Lane Kerr, land planning consultant for the Applicant, stated that he reviewed the City's ULDR and Comprehensive Plan in relation to the proposed project. He pointed out that the property has a commercial land use designation that allows residential development and mixed use. He asserted that the Applicant's documents comply with all required elements, including waterway use and neighborhood compatibility, and noted that the North US-1 Master Plan considers the surrounding area to be "the gateway." Mr. Kerr read the description of the gateway area, which lies across the waterway from George English Park. He concluded that the proposed project should promote the area.

Ms. Crush continued that the project is expected to be an amenity to the City in general and the gateway area in particular. She called the Board's attention to the curve and stepbacks of the property, noting that the building steps back 59 ft. to 90 ft. from the waterway and allows views from both the northern and southern neighboring properties. While no setback to the south is required by Code, a 14 ft. to 18 ft. setback is included to provide approximately 50 ft. of separation from the adjacent property. She concluded by showing different perspectives on the building from the north and south.

The Board agreed by consensus to provide the Applicant's team with five minutes for rebuttal if needed.

Mr. Witschen expressed concern with the nearby structured parking on the waterway, as it would set a height precedent in an area expected to have lower buildings than the adjacent East Point Towers. Mr. Kerr replied that the property lies across from a park, which is unique to its location; he felt the site was ideal for a higher structure which fit in well with the surrounding area.

Mr. Witschen reiterated that his concern focused on the structured parking, which he did not feel was the highest and best use for the site. He asked if the School Board had expressed an opinion on the project, as it is the closest adjacent

neighbor to the property. Mr. Kerr said the School Board has not commented on the project.

Yvonne Redding, representing Urban Design and Development, stated that the subject property is in and surrounded by B-1 zoning districts, with the exception of a nearby parcel including a church, which is zoned CF. The height limitation within B-1 zoning is 150 ft., although in some cases this may be exceeded with a conditional use permit if the property does not abut the waterway. There is no limitation to the massing and length of mixed-use developments. Developments are evaluated to determine compliance with neighborhood compatibility and the appropriate Master Plans.

Because the subject property lies along the US-1 corridor, Ms. Redding explained that the North US-1 Urban Design Plan was accepted by the City Commission in 2008, although it has yet to be adopted. This Plan was intended to be design-oriented rather than prescriptive in order to allow for flexibility in the creation of the best possible urban environment. Guidelines focus on the relationship of new buildings to their surroundings, including massing, scale, articulation of façades, and ground floor activity.

Ms. Redding continued that the Application includes public access to the waterway, 400 ft. of boat dockage, seating, viewing, and recreational areas, retail activity, and a proposed activity deck. The project's layout fosters a pedestrian-friendly environment by linking Federal Highway to the Middle River in a manner that does not currently exist. Pedestrian access to the waterway is encouraged, including an open vista to the base of the building, a sidewalk connection lined with landscaping, and bicycle racks.

The building's orientation places its narrowest side toward the existing East Point Towers and incorporates significant glass and balconies, which provide variations in the building's façade and reduce the appearance of mass. Parking for the project is internalized and not visible from the surrounding areas. The building pedestal is set back 20 ft. from the waterway, while the tower portion is set back further. Ms. Redding noted that the conditions of approval are listed in the Staff Report, and may be addressed by City engineers, as they relate to traffic concerns. Correspondence to the Board from East Point Towers, dated May 29, 2013, and other emails from individuals are included in the members' information packets.

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

Marcie Oppenheimer Nolan, representing East Point Towers, advised that she had submitted a letter to Chair McTigue, requesting 15-20 minutes' presentation time. She noted that while most residents of East Point Towers had waived their

speaking time in order to allow for the presentation, some unit owners also wished to speak in response to the Application. The Board agreed by consensus to grant Ms. Nolan the requested presentation time.

Ms. Nolan showed a PowerPoint presentation, explaining that East Point Towers includes 274 residential units. Its two buildings are located immediately to the south of the proposed Galleria Landings and are zoned B-1 with 100% residential use. East Point Towers are 123 ft. in height and occupy a parcel of 4.13 acres. Residents and members of the condominium board have met with the Applicant on two separate occasions to discuss scale, massing, and height, which are the residents' three main concerns with the Application. The Applicant had advised the residents at the second meeting that the design of the site was "fully fleshed out" and represented the best possible use for the parcel.

Ms. Nolan observed that the North US-1 Master Plan is a vision for this City neighborhood, and is concerned with promoting and protecting the public interest, encouraging orderly growth, and ensuring that the overall vision for the area is based on community input. She asserted that the East Point Towers residents were actively involved in the creation of this Master Plan. She noted that the neighborhood with which the Application must be compatible is not only the gateway area, but includes US-1 from Sunrise Boulevard to the City line.

She continued that the North US-1 Master Plan was approved by the City Commission in 2008, although it is not currently included as part of City Code. Ms. Nolan stated that this Master Plan serves as part of Code, however, due to its requirement for neighborhood compatibility, which means the Master Plan must be considered when designing and reviewing a building. She advised that the Application is not a permitted as-of-right use, but requires the application of residential flexibility to a commercially zoned parcel as well as conditional use approval.

Ms. Nolan noted that the gateway node of the US-1 Master Plan, which includes the subject parcel, is very prescriptive: staggered buildings, setbacks, massing, and scale from the waterway are included as part of this Plan. She pointed out that many Master Plans within the City, as well as ULDR Code, require compatibility of transition in scale and massing when two uses are adjacent to one another. She cited examples of these requirements, noting that this Code requirement was described at a recent Board meeting when a "transition zone" was proposed within the Sistrunk Boulevard area. Transition between existing and proposed uses is critical in establishing harmony within a neighborhood environment.

Ms. Nolan stated that the specific concerns cited by East Point Towers include the proposed building's 387 ft. length within a 405 ft. parcel; its 150 ft. height, which she noted was 178 ft. if rooftop equipment is included in the measurement;

and its massing, which does not include articulation of its façade. Air and light circulation and view corridors from the waterway are also areas of concern.

She continued that the next-longest building in the immediate vicinity of Galleria Landings is 260 ft. in length, which is 33% shorter than the building proposed in the Application. Ms. Nolan listed the lengths of other existing buildings in the area, including East Point Towers, which are of significantly less length than the proposed project.

With regard to massing and volume, Ms. Nolan asserted that the total volume of Galleria Landings is 4.8 million cubic ft., while the total volume of East Point Towers is 4.73 million cubic ft. She advised that the volume over acreage of Galleria Landings is 2.417 cubic ft./acre, while the volume over acreage of East Point Towers is 1.1 cubic ft./acre. In context, this is more than a 100% increase from the proposed project to the currently existing adjacent building.

Jill Cohen, certified planner, advised that she had reviewed the project in terms of massing and the existing character of the neighborhood, which includes lower buildings. While she agreed that the building was attractive, she did not believe it was a good fit with the surrounding community, particularly as compared with East Point Towers. Ms. Cohen noted that there are only 14 ft. of open space between the edge of the Galleria Landings building and the edge of East Point Towers' property. The Application includes massing on 96% of the land along the waterway, with no openings. This would have a significant impact on view, light, and air, including shadows that would extend across the waterway toward George English Park.

Ms. Cohen stated that the intent of the North US-1 Master Plan is to promote connectivity and provide a tranquil area. She felt placing a large building on the subject parcel would include too much massing to meet this intent. She observed that while the residents of East Point Towers may not dislike the proposed building, they feel it is inappropriate in context with the conditions of the existing community, which includes residential use within a B-1 zoning district. If the East Point Towers parcel were zoned residentially, 85 ft. of setbacks would be required, which is significantly more than the 14 ft. she had noted earlier.

She also pointed out that the providing connectivity to US-1 is 14 ft. in width, including a 4 ft. wide sidewalk. Ms. Cohen stated that this was insufficient width to provide significant connectivity.

Ms. Nolan stated that neighborhood review analysis requires the Board to consider the City's Comprehensive Plan, which establishes the context for land development, future development, and Code. Policy 1.19.8 of the Comprehensive Plan states that the scale and mass of new development should be consistent with existing neighborhoods. She noted that East Point Towers

have existed on the adjacent parcel since 1974. Similarly, objective 1.20 requires protection of residential neighborhoods from impacts created by non-residential uses; if Galleria Landings was a residential rather than a mixed-use building, it would not be permitted in the B-1 zoning district. Policy 1.24.1 states that marine resources, including the Middle River view, also require protection.

She concluded that the character of the existing gateway neighborhood is dissimilar to the proposed project in terms of height, width, bulk, and setbacks. The form and mass of the proposed building are not consistent with the existing neighborhood and were out of context with the requirements of the North US-1 corridor. Ms. Nolan stated that the project does not adhere to the intent of the North US-1 Master Plan, and does not provide a transitional zone between adjacent buildings.

Vice Chair Hansen commented that the proposed building is not stepped back from the Middle River from a vertical viewpoint, although it is stepped back horizontally. He asked if Staff had taken this into consideration as part of their review. Ms. Redding replied that the building's tower is stepped back further from the waterway; the example cited in the North US-1 Master Plan, which includes a 35 ft. stepback, takes the entire width of the property into consideration. This means a taller building could be built closer to Federal Highway. The Master Plan also points out that some parcels are fragmented, which means this stepback may not be possible on every parcel.

Ms. Desir-Jean asked if Staff could explain how the project meets neighborhood compatibility standards with specific reference to the North US-1 design plan. Ms. Redding said the proposed project is a mixed-use development, while East Point Towers is a residential building located in a B-1 zone. The North US-1 Master Plan encourages mixed-use development, with a high percentage of residential use and quality of architecture. Staff had determined that the project was compatible with the neighborhood, particularly with consideration of the residential parcel to the south. She pointed out that the proposed building does not exceed the height requirements of the B-1 zoning district or the North US-1 Master Plan.

Mr. Ferber asked if the East Point Towers building, which is residential, might have required conditional use approval as a residential building within a B-1 district in the 1970s. Ms. Redding advised that she could not speak to whether or not mixed-use criteria were in place at that time, but stated that were East Point Towers proposed during the present day, it would be required to meet setbacks and other criteria to which Galleria Landings is currently subject.

Ms. Parker pointed out that the North US-1 Master Plan states that narrow, shallow parcels in the area may have difficulty being redeveloped into other uses due to limited accessibility. This led to the encouragement of mixed use within

the area. She advised that when neighborhood compatibility is reviewed in the context of this Master Plan, the character of the gateway area is seen as in proximity to buildings with similar mass and scale rather than in proximity to residential, low-scale development.

Greg Brentlinger, President of the East Point Towers condominium board, stated that residents of this building and others along the corridor had been active participants in the development of the North US-1 Master Plan. Their interest was in the entire corridor, and particularly in what might happen to East Point Towers in the future as the gateway neighborhood developed. He recalled that the Applicant's narrative states small lots were not considered when the Master Plan was designed, and did not agree with this, pointing out that small lots are graphically identified as part of the Master Plan. He showed a visual of these graphics, asserting that the City had made a commitment to the participants in the Master Plan's design by including the graphics as requested.

Mr. Brentlinger continued that the Master Plan's graphics show a 35 ft. setback, as well as a lower-rise building, close to the East Point Towers buildings. He declared that the Applicant's intent does not accurately interpret the graphics included in the Master Plan, which show that structures moving closer to US-1 may be as high as 150 ft. but do not show similar height close to the waterfront. He stated that the Master Plan provides an introduction to how the subject parcel should be developed. He also pointed out that the nearby bridge will soon be replaced, which will increase the height beneath it from 6 ft. to 10.5 ft. This will allow much larger boats to travel back and forth to the Downtown area on the Middle River.

Mr. Brentlinger added that while the Applicant commissioned a shadow study for the subject parcel, which was shared with neither the City nor East Point Towers, as it was not considered necessary. He asserted that traffic in the area has proven hazardous to cyclists, and that the parcel is not accessible from the north without making a U-turn, which contributes to this hazard. He felt traffic and line-of-sight studies should be conducted to show the effect of the proposed building on nearby traffic. He concluded that one level of the proposed garage lies 8 ft. 8 in. below grade, which is also a concern to the residents of East Point Towers, as it will need to be dug to 4 ft. from the edge of their property line.

Mr. McCulla observed that the neighborhood in which both East Point Towers and the proposed Galleria Landings are located includes car dealerships, restaurants, and shopping centers. He advised that this meant the concept of neighborhood compatibility would include these uses as well as East Point Towers, and noted that many of the conditions cited by Mr. Brentlinger already exist, such as the necessity of a U-turn. Mr. Brentlinger said adding 100 families who may have to enter and exit the subject property multiple times per day was a concern, as they would also have to make the U-turn he had described.

Mr. McCulla noted that the Applicant has addressed this concern to the satisfaction of the Florida Department of Transportation (FDOT). Mr. Brentlinger reiterated that no traffic study was done with respect to the Application. Mr. McCulla pointed out that there were five conditions associated with the Application, many of which note the Applicant's requirement to meet with both FDOT and the City regarding the U-turn, pedestrian safety, and other concerns in relation to traffic before a building permit may be issued.

Mr. Brentlinger stated again that another concern was a shadow study. Mr. McCulla declared that shadows from the subject property will not affect East Point Towers, which are located to the south. Mr. Brentlinger said the shadows will affect waterway activity, as well as George English Park, as studied at 5 p.m. on December 21. Mr. McCulla commented that he did not feel there would be a great deal of water activity on this date or at that time of day, which would be after dark. Mr. Brentlinger did not agree with this suggestion, stating that individuals were likely to engage in water activity.

Mr. Brentlinger continued that a quarter of East Point Towers' residences face north, which meant a quarter of its residents would look "into the side of this building." Mr. McCulla commented that the proposed building bisects East Point Towers at its halfway point, which meant any residences east of its elevator towers would be either minimally affected or not affected at all. Mr. Brentlinger said these residents' view of the waterway would be obstructed.

He added that the "gentle use" of the surrounding neighborhood, which includes parks and a school, would also be adversely affected, and stated again that no line-of-sight study has been conducted with regard to the subject property; however, some East Point Towers residents would still lose substantial portions of their view. Another issue is the 14 ft. space between the proposed building and the condominium's property line. He concluded that all space from the second floor up is 100% residential, and that these residents had purchased their units with the expectation that the intent of the North US-1 Master Plan would be followed.

Cary Goldberg, member of the City's Economic Development Advisory Board, stated that Staff has demonstrated that the Application meets Code. He agreed with Mr. McCulla that neighborhood compatibility extends beyond adjacent buildings, and the US-1 corridor on which the project would be located is very retail-oriented. He felt the architectural design of the proposed building would enhance the surrounding area, and concluded that nearby businesses would benefit from the project.

Bruce Loewe, private citizen, said he is a resident of the Coral Ridge neighborhood. He remarked that Staff's perspective seemed to lean toward

maximization of the Land Use Plan, and that the Land Use Plan itself seemed to be intentionally subjective in order to allow Staff and the Board to make decisions based on community input. He felt the primary question was whether or not it is the City's goal to maximize every piece of property in the City with respect to the number of units, size of the building, and economic development. He asked the Board to consider the residents' concerns about this and other large-scale projects proposed for Fort Lauderdale, and to reject the Application as too massive for the neighborhood.

Mr. Witschen asked how the project could be modified in order for Mr. Loewe to feel he could support it. Mr. Loewe replied that it would need to include fewer units and residents, as well as additional setbacks and a 30%-40% reduction in height. He added that he would also increase the commercial use and reduce the residential use.

Melissa Milroy, Director of Marketing for The Galleria, stated that she spoke in representation of the owner and manager of the mall. While they typically do not take a public position on projects within the community, she was speaking in support of Galleria Landings, which would bring an additional residential base to Federal Highway and support its commercial establishments. The public plaza and retail spaces included in the project are expected to provide a connection between Federal Highway and the Middle River in an area that is otherwise blocked from the waterway. She concluded that the proposed building could help define the gateway corridor, and would have significant economic impact on the surrounding neighborhood through both its tax base and spending impact.

Tim Smith, former City Commissioner, said he had spoken to the project's developer and viewed the subject property, which he felt had a very good view of the waterway and the park on its other side. They had discussed the potential impact of the project, which Mr. Smith felt would contribute to the redevelopment of the area. He advised that while he understood the opposition of East Point Towers to the project, he did not feel this was sufficient reason to deny the project, as residents are not guaranteed a view.

Chad Gray, private citizen, stated that he resides on the west side of US-1 and was in favor of the Galleria Landings project. He felt it would enhance the appearance of the gateway corridor, and that a mixed-use development would break up the predominance of the existing auto dealerships and "big box" retail stores in the area. He concluded that the building's appearance would enhance the view of the Middle River and George English Park.

Eugenia Ellis, private citizen, said she was in favor of the project due to its aesthetic appearance. She noted that the City's Master Plans are not intended to limit development to what currently exists, but to consider what may happen in

the future. She added that George English Park will benefit from the proposed project.

Frank Herhold, member of the City's Marine Advisory Board, recalled that the Applicant had recently shown a presentation on Galleria Landings to this Board. The members had agreed that the project would provide improved water access through its docks, the paddleboard rental and store, and the public plaza. He added that raising the bridge would make this portion of the Middle River even more popular.

Dan Teixeira, private citizen, read a letter he had sent to the Board earlier in the day, which stated his support of the Galleria Landings project. He pointed out that he resides to the east of the proposed project and felt it will enhance the visual experience from both the Sunrise Boulevard and US-1 corridors. He also felt strongly that the public plaza would be "enjoyed by everyone."

Ashley Walker, private citizen, said she is a homeowner in the community, and is supportive of the project, as it will replace an eyesore and help revitalize the area.

Jonathan Bridges, private citizen, said he is supportive of the project because it is ideal to a neighborhood with several types of use within it. He also felt the building's architecture would be a pleasant addition to the area, and that the public access to the waterway was needed. Mr. Bridges added that many local businesses had been shuttered due to the recent recession and were now beginning to come back, and the project would contribute to this renewal.

Norma Scala stated she is the Chair of the Committee of Concerned Owners of East Point Towers, and had been active in plans to redevelop the area from the gateway to McNabb Road, which called for low-rise, low-density waterfront development. She said while the proposed building is very attractive, it is too large for the parcel on which it is planned and would dwarf other buildings on both sides of the river. She also expressed concern with its ability to schedule deliveries, trash removal, and ordinary maintenance due to the lack of space in which vehicles can turn around, and stated that she was also concerned about traffic congestion on Federal Highway. Ms. Scala concluded that the project was incompatible with the surrounding neighborhood and would have a negative effect on the area.

Steve Dolgin, resident of East Point Towers and member of its board, said he found the proposed building to be attractive, but pointed out that it would be one of the longest buildings within the City and would be 36% higher than the next-highest building in the surrounding area. He found this to be incompatible with the neighborhood in which the project is proposed, and requested that the Board defer the Item until the developer can change its scale.

Joshua Vajda, private citizen, stated that his office is located to the north of the proposed development. He said he was supportive of Galleria Landings, as it will enhance public access to the Middle River and beautify the area while offering a residential option and activating the waterfront.

Gunther Galloway, resident of East Point Towers, said he objected to the project because insufficient information has been provided by its developer to allow the project to proceed as a mixed-use development. He pointed out that this designation would allow the project to be exempt from the guidelines that would apply to a single-use building, although approximately 97.7% of the use is residential and 2.3% is non-residential.

He added that the Development Review Committee's (DRC's) report requested that a traffic impact statement be provided for the property; however, the Applicant had provided a trip generation statement instead, and responded that the project would generate fewer than 1000 trips per day. Mr. Galloway noted that the area's "unfriendly" pedestrian environment could be expected to result in greater use of vehicles by residents of the proposed building.

He concluded that the Application's narrative states that older condominiums to the south and auto dealerships to the north can be mitigated by the exceptional design and aesthetics of the Galleria Landings project. Mr. Galloway asserted that he found it insulting for the project to describe these structures, which he felt included East Point Towers, as uses to be mitigated.

John Siegfried, resident of East Point Towers, said he would be directly affected by the project, as he lives on the condominium's 10<sup>th</sup> floor. He felt the project would take away approximately one-third of his view from this level, and would adversely affect his investment in the 10<sup>th</sup> floor unit. Mr. Siegfried explained that one reason he had moved into East Point Towers when he became a full-time resident of the City was its view. He pointed out that the project would result in the creation of a "concrete canyon" on Federal Highway.

Ms. Crush introduced Molly Hughes, traffic consultant for the Applicant, who explained that she had performed a trip study as well as an extensive survey and information collection on Federal Highway. She had then accompanied Staff to discuss the Item with FDOT in order to identify any possible improvements the project could make. Ms. Hughes acknowledged the difficulty of motorists leaving the site to move into the northbound left-turn lane, and advised that FDOT had not expressed concern about this condition. An offer to provide a signalized pedestrian crossing at the location was declined by FDOT as well.

She noted that FDOT has recently concluded a study on Sunrise Boulevard to the west of the project, but has made no safety recommendations for the subject

area. She explained that while no extensive studies were required for the Application, Staff had requested that the Applicant address the questions noted above.

Ms. Crush advised that both the mixed use and waterway use aspects of the proposed development are subject to neighborhood compatibility, and pointed out the orientation and setbacks of the building once more. She advised that the project will be part of a collective neighborhood that includes a mix of uses, in which a height of 150 ft. is appropriate, subject to conditional use approval. She concluded that the project met all the necessary criteria for mixed, conditional, and waterway use, including neighborhood compatibility.

Ms. Desir-Jean asked if the developer plans to add a restaurant to the proposed project. Ms. Crush replied that he does not, as he did not feel the use would be viable due to the large number of restaurants already existing in the area. She noted that there is existing office space in addition to the paddleboard rental facility, which could house a takeout restaurant in the future if that was the developer's desire.

Mr. Witschen remarked that he was conflicted with regard to the Application, as it is a high, long building with impressive architecture. He suggested that in the future, additional design standards be provided within B-1 zoning districts, as well as for other redevelopment parcels. While he felt Staff's evaluation of the project was generous, and the mixed-use element is nominal, he felt they were the experts in interpreting Code. He noted that he did not feel traffic is an issue, and pointed out that a forthcoming auto dealership in the area mitigates the issue of a view corridor from Federal Highway.

Mr. Witschen continued that he would like to see further evaluation of the B-1 zoning districts, in this and other areas, in order to arrive at more specific criteria for them.

**Motion** made by Mr. Witschen, seconded by Mr. McCulla, to recommend approval [of the Item] with the conditions.

Mr. McCulla added that while the proposed building is large, Federal Highway is a commercial corridor. He continued that he found the concept of mixed use to be a difficult one, although he noted that the surrounding neighborhood includes residential buildings, auto dealerships, retail stores, and restaurants. He felt that the relatively minimal mixed use within the proposed building was less relevant than this mixture of uses within a relatively pedestrian-friendly neighborhood.

In a roll call vote, the **motion** passed 8-0.