



CITY OF FORT LAUDERDALE

DRAFT
CITY OF FORT LAUDERDALE
PLANNING AND ZONING BOARD
CITY HALL – CITY COMMISSION CHAMBERS
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA
WEDNESDAY, JUNE 19, 2019 – 6:00 P.M.

Cumulative

| Board Members | Attendance | June 2019-May 2020 | |
|-------------------------|-------------------|---------------------------|---------------|
| | | Present | Absent |
| Catherine Maus, Chair | P | 1 | 0 |
| Mary Fertig, Vice Chair | P | 1 | 0 |
| John Barranco | P | 1 | 0 |
| Brad Cohen | A | 0 | 1 |
| Coleman Prewitt | P | 1 | 0 |
| Jacquelyn Scott | P | 1 | 0 |
| Jay Shechtman | P | 1 | 0 |
| Alan Tinter | P | 1 | 0 |
| Michael Weymouth | P | 1 | 0 |

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

Staff

Ella Parker, Urban Planning and Design Manager
D'Wayne Spence, Assistant City Attorney
Anthony Fajardo, Director, Department of Sustainable Development
Linda Mia Franco, Urban Design and Planning
Nick Kalargyros, Urban Design and Planning
Randall Robinson, Urban Design and Planning
Yvonne Redding, Urban Design and Planning
Trisha Logan, Historic Preservation Planner
Benjamin Restrepo, Department of Transportation and Mobility
Jamie Opperee, Recording Secretary, Prototype, Inc.

~~Communications to City Commission~~

~~**Motion** made by Vice Chair Fertig, seconded by Mr. Shechtman, that traffic analysis in the City is inadequate, [and that] current measurements of traffic impact should be investigated in terms of capturing opportunities in the development process to mitigate projects' impacts on the streets; and to also put additional emphasis on capturing amount of scooter and bicycle and pedestrian trips. In a roll call vote, the **motion** passed 6-2 (Mr. Tinter and Mr. Weymouth dissenting).~~

~~I. CALL TO ORDER / PLEDGE OF ALLEGIANCE~~

~~Mr. Tinter moved on to parking, noting that the requirement of 161 parking spaces was addressed by separating the various uses within the project. The shared parking study states that 76 parking spaces are required, which represents a nearly 50% reduction. Mr. Restrepo stated that this analysis was based on observations of parking currently generated by the YMCA, as well as the additional uses required by the City. He felt the Applicant's proposed 80 parking spaces would be adequate "for the most part" for the uses on the site.~~

~~Vice Chair Fertig requested additional information regarding the south side setbacks. Mr. Lochrie explained that a landscape buffer of approximately 10 ft. extends from the curb to the sidewalk. The sidewalk, which is in the public right of way, is an additional 11 ft. in width. This places the building itself roughly 22 ft. from the curb and 1 ft. from the property line. The retail space, which is beneath an arcade, is set back 10 ft. further.~~

~~Vice Chair Fertig continued that the proposed side yard setbacks are 7 to 8 ft. against a requirement of 25 ft. Mr. Lochrie stated that while the setback requirement for a park is 25 ft., the Northwest RAC guidelines, which apply to other properties in the area, require a 5 ft. setback. He emphasized that the City has requested the sidewalk widths provided by the Applicant within the 7 to 8 ft. setbacks. Landscaping will be significantly enhanced near the northern property line. The City's Urban Forester required that oak trees on the western side of the parking lot be retained, which resulted in the loss of some parking spaces.~~

~~There being no further questions from the Board at this time, Chair Maus opened the public hearing. As there were no individuals wishing to speak on these Items, the Chair closed the public hearing and brought the discussion back to the Board.~~

~~Attorney Spence noted that the right-of-way referred to in R19004 includes a dedication for a bus shelter and bench. Under a 2012 agreement with Broward County, the County will install this shelter but the City must maintain it. He requested that the vacation of a 5 ft. wide and 20 ft. long bus shelter easement and relocation of the 7 ft. wide prefabricated shelter to the new easement be considered as part of the Application. County Staff has reviewed the Site Plan and concurs with its proposed modifications. Mr. Lochrie confirmed that this is acceptable to the Applicant as well.~~

~~**Motion** made by Mr. Shechtman, seconded by Ms. Scott, to approve Item 4 with the condition just stated. In a roll call vote, the **motion** passed 8-0.~~

~~**Motion** made by Mr. Shechtman, seconded by Mr. Tinter, to approve [Item 5] including the Staff Condition read into the record by D'Wayne Spence. In a roll call vote, the **motion** passed 8-0.~~

6. CASE:

R18018

REQUEST: **

Site Plan Level IV Review: Conditional Use for Marina, 11,231 Square Foot Restaurant, 24,401 Square Foot Marina Services

| | |
|---------------------------------------|---|
| | Building and 2,266 Square Feet of Ancillary Structures |
| APPLICANT: | Paul Kissinger EDSA, agent on behalf of the City of Fort Lauderdale |
| PROJECT NAME: | Las Olas Marina |
| GENERAL LOCATION: | 151 Las Olas Circle |
| ABBREVIATED LEGAL DESCRIPTION: | A portion of Parcel A, Las Olas Del Mar I Plat, Plat Book 147, Page 20 of the public records of Broward County, Florida |
| ZONING DISTRICT: | Planned Resort Development (PRD) and Intracoastal Overlook Area District (IOA) |
| LAND USE: | Central Beach Regional Activity Center (C-RAC) |
| COMMISSION DISTRICT: | 2 - Steven Glassman |
| CASE PLANNER: | Randall Robinson |

Disclosures were made at this time.

Robert Lochrie, representing the Applicant, showed a PowerPoint presentation on the project, which is located on a property owned by the City of Fort Lauderdale. It is before the Board for Site Plan Level IV review. The Applicant hopes to realize the concept of a mega-yacht marina with accessory retail and amenity uses for both the marina and the general public.

Mr. Lochrie briefly reviewed the project's history, recalling that some years ago, the City's Marine Advisory Board (MAB) proposed construction of a mega-yacht marina on the north side of the Las Olas Boulevard bridge. In 2016, an RFP submitted by the City acquired a developer to design the project. A lease was signed in 2018, and a Site Plan was submitted to the City the same year, followed by significant neighborhood outreach in relation to the project.

Mr. Lochrie noted the proximity of the Portofino, Jackson Tower, Leisure Beach, Leisure Beach South, and Venetian condominiums to the site. All these properties are located within the City's Planned Resort Development (PRD) zoning district, which has a maximum height limitation of 200 ft. by right and up to 240 ft. through bonuses. The Floor Area Ratio (FAR) requirement for this district is 6. There are additional entitlements that come with properties located in the PRD district.

The marina property was platted by the City in 1989, including a specific plat restriction limiting what can be developed on the site to the following:

- 350 hotel rooms
- 150 marina slips
- 199,000 sq. ft. of commercial space

Mr. Lochrie advised that the proposed project includes a parking facility to serve the marina, which can accommodate 68 mega-yachts with additional availability to smaller or transient vessels, particularly during the off-season. It will also include a marine services building, which provides amenities for the yachting and marina communities. Finally, a restaurant building and promenade will be constructed as part of the project.

A key component of both the Beach Redevelopment Master Plan and the marina's RFP and lease was the need to bring the public to the marina site. This will be accomplished by the promenade, which is approximately 2200 linear ft. with a width reaching up to 20 ft. The public will have access to the promenade from the site's restaurant to the Venetian condominium and Oceanside Park, extending beneath the Las Olas Bridge and connecting to Birch Road. The promenade also includes a landscape buffer between the street and itself, as well as outdoor furniture.

Mr. Lochrie reviewed other key elements of the project, including the marine services and restaurant buildings. The three-story marine services building is 43 ft. tall, while the two-story restaurant building is 30 ft. 5 in. The proposed FAR on the site is 0.18, while the marine services building length is 190 ft. 11 in. against a maximum of 200 ft.

The restaurant building faces the Intracoastal Waterway and includes outdoor seating on its top deck. Its ground floor is 6848 sq. ft., including kitchen as well as restaurant space, while the second floor has 4383 ft. of interior space. The marine services building will include a second restaurant of 2500 sq. ft., as well as a marine store of approximately 1500 sq. ft., a dockmaster's office of 1100 sq. ft., and three yacht brokerage offices. The second floor includes additional marine industry uses, while the third floor houses marina components, a fitness facility, marine amenities, and an outdoor pool and patio. The gap between the restaurant and marine services buildings is 20 ft.

Because the Applicant received comments regarding the appearance of the restaurant building, they are suggesting the following enhancements:

- Concrete block material on the top half of the building to be incorporated within
- Cladded metal bronze on the bottom half, with landscaping between
- Signage at the corner to highlight entry points for the building

The marine services building will include bronze metal cladding at the top and bottom, glass on the north face, and a concrete finish in the center. Portions of the building step in and out between the first and second floors, creating vertical movement rather than a flat façade.

The Applicant met public participation requirements by providing a formal presentation to the Central Beach Alliance (CBA). Since the time the project was first submitted to the DRC, there have been additional meetings with neighborhood groups, which have contributed to the current version of the project.

Vice Chair Fertig requested input from Staff with regard to the availability of parking. Mr. Lochrie advised that when a pro forma was created for the garage, the marina was assumed to generate at least 115 parking spaces; in addition, the former Director of Transportation and Mobility had assumed approximately 200 of the garage's 600 spaces would be used for the marina.

Mr. Restrepo of the Department of Transportation and Mobility stated that the Applicant's analysis for the parking requirement was straightforward, taking neither peak hours nor demand periods into account. He felt the amount of parking the marina will need may be less than the 155 spaces planned within the parking garage. The garage is typically only full to capacity during the spring break period.

Chair Maus asked if the parking demand in the garage might increase over time. Mr. Restrepo replied that it is possible. He added that the demand created by restaurants and office spaces on the marina property may also come from other nearby uses or locations.

Vice Chair Fertig pointed out that traffic intrudes into residential neighborhoods more and more as drivers find themselves unable to park throughout the City. Mr. Restrepo replied that many individuals do not like to pay for parking and seek locations other than City parking facilities.

Vice Chair Fertig also addressed trips, noting that she had received a requested copy of the most recent documentation on trip schedules. The site's parking represents a 49% reduction given the seats in the restaurant, marina slips, and commercial space calculated together. Mr. Restrepo stated that reductions are typically based upon two factors, the largest of which reduces the existing use on the site; another factor takes "pass-by" and internal counts into consideration.

Vice Chair Fertig pointed out that the calculation does not properly take the 68 marina slips into account. She continued that in September 2018, Staff estimated there would be 181 trips generated by the project; however, this number decreased from that time to the present. She noted that the driveway between the garage and the marine services building is a public road controlled by the City, which will continue to be used as a shortcut by nearby residents.

Mr. Lochrie replied that the road in question was designed and built by the City: it is not within the limits of the subject site. The Applicant has cooperated with the City on several off-site improvements, but does not own the roadway and cannot make promises regarding its condition.

Vice Chair Fertig concluded by asking if the Fort Lauderdale International Boat Show will continue to operate at the redeveloped marina. Mr. Lochrie explained that the Applicant's lease requires them to enter into an agreement with the Boat Show. The

agreement has not yet been signed. The Applicant has a plan for the Boat Show during the site's construction process.

Mr. Tinter observed that the Applicant's Site Plan identifies necessary space by the number of square feet, while the traffic study calculates by seats. He asked if the Applicant was comfortable limiting approval of the project to 375 restaurant seats. Mr. Lochrie confirmed this, pointing out that the Institute of Parking Engineers (ITE) manual refers only to interior space.

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

Debra Rosenbaum, president of the Central Beach Alliance (CBA), confirmed that a public meeting was held and a presentation shown to the membership on May 16, 2019. While no vote was taken, she characterized the project as well-received. The Applicant was responsive to questions from the membership. No vote was taken because she had felt there was not sufficient notice to inform the full membership of the meeting.

Heidi Davis, attorney representing the Jackson Tower Condominium Association, Inc., advised that the proposed project would make Birch Road a dangerous roadway for the general public as well as for residents of this adjacent condominium. It is a 24 ft. wide two-lane roadway, with one lane intended for use as a bypass lane for emergency vehicles or cars entering/leaving the Jackson Tower garage. Ingress/egress for residents is just past a sharp curve in Birch Road, and its electronic entrance can create stacking on the roadway.

Ms. Davis stated that the new two-way roadway has no bypass lane or other facility to help navigate around stopped cars at this location. She reviewed additional potentially dangerous elements of the roadway, including a blind curve, limited sight distance from the garage, and blocking by service vehicles. The Applicant has agreed to provide 10 ft. to increase the right-of-way to a width of 34 ft. A "bulbed" area constructed to push traffic away from cars using the garage will create a safer traffic pattern.

Ms. Davis concluded that the Jackson Tower Condominium Association will work with the City to retain a revocable license for the subject area. She stated that the road shown in the Applicant's plans is not safe, but can be made safer with the right improvements.

Chair Maus asked who would construct the improvement Jackson Tower is seeking. Ms. Davis explained that this has yet to be determined between the Association, the City, and the Applicant.

Ms. Scott noted that the proposed roadway improvements are not part of the Site Plan submitted to the Board. Ms. Davis replied that the roadway is part of the Site Plan due

to changes planned by the Applicant; however, these changes do not include additional safety improvements to Birch Road other than the additional 10 ft. of right-of-way.

Ms. Scott asked if a temporary stop sign in the area could be made permanent to help alleviate safety concerns related to ingress/egress from the garage. Ms. Davis pointed out that this would back up traffic on Las Olas Circle and does not improve the view on the blind curve.

Ms. Davis explained that she was bringing the issue to the Board's attention to ensure the reconfigured roadway is made safer as part of the Site Plan. The reconfiguration is a result of the Applicant's plans for the marina. While the Applicant has agreed to the additional 10 ft. of right-of-way, the Association does not have a way to ensure this improvement is built.

Mr. Tinter commented that there is a loading zone on Birch Road in association with the condominium, although it has not been fully formalized or used by all deliveries. Ms. Davis replied that the 10 ft. addition would attempt to formalize this use, which is located partly on City property and partly on condominium property. At present, cars continue to use this space for parking despite loading zone signage. There is currently no way for trucks to access the condominium's garage or service elevators from the loading zone. Mr. Tinter pointed out that this is a currently existing condition that results from the approved site plan for the condominium, not a condition created by the proposed marina.

Mr. Prewitt commented that when the site plan was approved for Jackson Tower, the roadway's configuration was the same as today, and did not contemplate the possibility of two-way traffic in front of the garage.

Barbara McGuire, private citizen, stated that while Jackson Tower is generally supportive of the marina project, they are concerned with the safety of making Birch Road a two-way roadway. She concluded that the Board should approve the project with a condition related to the proposed settlement agreement, with some details yet to be determined.

Bernie Schinder, private citizen, advised that while he was in favor of the marina project, he also felt reconfiguration of the roadway would make it unsafe for Jackson Tower residents leaving their garage as well as the general public using the road.

Dr. _____, private citizen, stated that he is in favor of the marina redevelopment, although he shared the traffic concerns expressed by residents of Jackson Tower.

Joe Gale, private citizen, asserted that it is difficult to access the Venetian condominium due to the proximity of the City parking garage and other traffic issues. He felt a restaurant with 375 seats could not be expected to succeed with a traffic calculation showing only 150 trips per day.

Drazia Simon, private citizen, explained that while she is supportive of the marina project, she is concerned with roadway safety as a resident of Jackson Tower. While a temporary stop sign has been provided on Birch Road, few drivers are obeying it. She spoke in favor of the 10 ft. buffer zone agreed to by the Applicant. Ms. Simon also referred to a small City roadway connecting Las Olas Circle to Birch Road, suggesting that the City be asked to address this road as a safety concern for emergency vehicles.

Ms. Scott asked if condominium residents have met with City Staff to discuss their concerns regarding safety conditions in the area. Ms. Simon replied that the 10 ft. buffer should be included as a condition of approval, as it will give residents the opportunity to continue negotiations with City Staff and other parties.

Mr. Shechtman requested clarification of concerns other than the 10 ft. buffer. Ms. Simon replied that residents are also asking the Board to call attention to the small roadway she had mentioned, which will serve both condominium and marina project traffic, and ask the City to take a closer look at its conditions.

Elizabeth Tamayo, private citizen, advised that while she is happy with the proposed marina, she is concerned with traffic in the area, particularly egress from the Jackson Tower garage.

John Kelly, private citizen, also addressed ingress/egress from the Jackson Tower garage, stating that the proposed buffer would improve safety. He asked that the Board approve the project with the condition relating to the buffer.

Phil Purcell, CEO of the Marine Industries Association of South Florida (MIASF), stated that this organization, which owns the Boat Show, has worked closely with the Applicant to ensure the Site Plan is operational for this annual event. He stated that the project benefits both the Boat Show and the marine industry.

Joseph Zonerega, private citizen, recalled that the Applicant held a meeting with surrounding condominiums, including his residence of Leisure Beach South, to discuss plans for the marina project. The plan upon which most nearby residents agreed at that time was very different from the Site Plan proposed tonight. He asserted that the Applicant never met with Leisure Beach South to show the current plans, although the condominium had invited the Applicant to do so.

Mr. Lochrie advised that Leisure Beach South was represented at meetings held in October 2018, and its association president was at the recent CBA meeting at which the current plans were presented. There was an additional independent meeting with Leisure Beach and Leisure Beach South approximately one month ago to show the current plans. Both condominiums are part of the CBA.

Paul Chettle, private citizen, addressed the project's public-private partnership, recalling that the Applicant was the only entity to respond to the City RFP for marina redevelopment in 2016. He also recalled that the five adjacent condominiums had seen and approved plans for the marina in 2016, which were subsequently approved by the City Commission. In 2018, the Applicant informed residents that the plans they had approved could not be used for the project.

Mr. Chettle continued that City Staff signed off on the current plans for the project, which are significantly different from the 2016 plans, without benefit of a DRC meeting or other public outreach to review the Site Plan. He pointed out that this removed the public input process from the public-private partnership, and echoed Ms. Simon's concern with emergency traffic using the small roadway between Birch Road and Las Olas Circle. He requested that the Board defer the Item and add a condition that the Applicant meet again with Leisure Beach South and the City's Beach Redevelopment Advisory Board (BRAB) for public input.

Vice Chair Fertig asked if the Site Plan has gone before the DRC. Ms. Parker explained that the most recent Site Plan has not, although the previous Site Plan went through the process for technical comments. Because it is subject to Site Plan Level IV review, its public hearing is before the Planning and Zoning Board and City Commission rather than the DRC.

Anthony Fajardo, Director of the Department of Sustainable Development, added that the project has changed since its original submittal to the DRC. Code allows for projects to continue through the approval process if Staff judges this to be appropriate.

Vice Chair Fertig requested clarification of changes made to the Site Plan without the requirement that it go back to the DRC. Mr. Lochrie replied that the restaurant was moved from the northeast corner of the site. The DRC had instructed the Applicant to meet with neighbors of the project to discuss it further; following these discussions, it was determined that the restaurant's location would be moved to the west side of the site.

Mr. Fajardo explained that at this level, the DRC serves to provide technical review of projects that advances them forward to the ultimate approving body. If the proposal was entirely different from its original state, it would have been required to begin the process again. Change during the DRC process is not uncommon. He clarified that the RFP process to which Mr. Chettle had referred is a separate process from DRC.

Vice Chair Fertig asked if the project had ever gone before the BRAB for approval. Mr. Chettle replied that the previous version of the project had gone to the BRAB.

Attorney Spence advised that the Planning and Zoning Board serves in a regulatory capacity, while the BRAB is a proprietary entity of the City. He further clarified that the Department of Sustainable Development's purview is not related to the Applicant's

lease. There is no requirement for the BRAB to review the project's Site Plan, as they have no regulatory function.

Mr. Chettle asserted that the Applicant did not meet with Leisure Beach South. He added that the current proposal adds two new buildings to the site, which he characterized as a drastic change.

Chair Maus requested clarification of the restaurant's location in the plans originally approved by nearby condominium residents. Mr. Chettle replied that it was next to a previously proposed Water Taxi stop. The original proposal also included one 7000 sq. ft. marine service building in addition to the 10,000 sq. ft. restaurant on a 5000 sq. ft. footprint.

Mr. Shechtman noted that the DRC process involves less public input than the public hearing before the Board. Mr. Chettle stated that Jackson Tower condominium needs more time to address their concerns with the roadway before the project goes before the City Commission. He felt that deferral of the Item would also provide additional time for City Commissioner Steven Glassman to meet with the presidents of the five surrounding condominiums, City Staff, and the project's developer.

John Burns, president of the Venetian Condominium Association, expressed concern with the density, size, height, and locations of the project's proposed buildings, which are significantly different than the plans first presented to DRC or the plans approved by the nearby public, with much greater square footage, height, and mass. He concluded that the Board should deny the Application.

Shirley Smith, private citizen, reiterated that the Applicant met with residents of the surrounding condominium communities and selected a proposed Site Plan which is very different from the Site Plan before the Board tonight. She reviewed some of the size, height, and mass differences that have occurred to the Site Plan since the original proposal.

Rose Kurlander, private citizen, stated that the Applicant came to the Venetian Condominium the previous week to meet with residents. She described the residents' response as "very supportive" of the marina and its amenities; however, their concerns included changes from the original site plan approved by condominium residents in 2016, including mass, scale, and location of buildings. Another concern was a 20 ft. neighborhood roadway shortcut near the parking garage, which lacks defined sidewalks and will have to accommodate significantly more traffic when the marina is built. She asked that approval of the Item be deferred until residents of the surrounding condominiums can meet with Commissioner Glassman and the Applicant.

John Davanzo, private citizen, commented that the schematic for the Site Plan shows no consistent sidewalks for residents or pedestrians accessing the restaurant. He

expressed concern with traffic and parking to, from, and on the site, concluding that the Item should be deferred until these issues are properly addressed.

Abby Laughlin, private citizen, stated that she was supportive of the project, as it would enlarge the marina, accommodate mega-yachts, and provide connectivity to other projects on the beach.

Randall Roger, representing residents of Portofino on the Intracoastal, stated that the individuals he represents are supportive of the project and appreciate the relocation of its restaurant. He expressed concern, however, with the riparian lines of the Intracoastal Waterway's navigable area, which the residents felt should be maintained in their current state and should not be affected if the project is approved by the Board. These lines were identified in a 2005 engineering report secured with involvement from the engineering firm, the City, and the Portofino.

Attorney Spence advised that the Board may only approve Site Plans with respect to the development controlled by the Applicant. Determination of riparian rights is not part of the Board's purview, as this is a legal determination.

Mr. Prewitt asked if Mr. Roger felt the Site Plan violates existing riparian lines. Mr. Roger replied that it is his clients' position that the riparian lines may be affected to the detriment of the Portofino, as they perceive an encroachment upon the correct location.

Richard Zaretsky, attorney representing a resident of the Leisure Beach Condominium, submitted a document and attachments into the record. He characterized the Item before the Board as a new Site Plan which significantly expands the marine services building, changes its location, and is not part of the original site plan attached to the Applicant's lease. Mr. Zaretsky concluded that his client does not oppose enhancement of the marina, but is concerned with its significant changes with no public input.

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

Mr. Lochrie addressed the ingress/egress concerns expressed by residents of Jackson Tower and Ms. Davis, stating that the Applicant is willing to "curve its Site Plan back" if they can find a way to accommodate this change. This 10 ft. modification has been planned, with the removal of additional parking that originally existed in the subject area. The modification is already within the right-of-way.

With respect to relocation of the site's restaurant, Mr. Lochrie pointed out that the alternative approved by condominium residents in 2016 is not the concept before the Board tonight. Because that alternative is a lease issue, it is not within the purview of the Board. He noted other changes to the Site Plan since 2018, including a decrease in both restaurants' overall square footage and an increase in the marine facilities

building's square footage. Restaurant seating used in the parking calculation includes both indoor and outdoor seating.

Vice Chair Fertig asked if the Applicant can accommodate nearby residents' concerns with the width of the roadway connecting to Las Olas Circle. Mr. Lochrie replied that one difficulty with this proposal is the location of utilities serving a garage, which are located in City-owned green space beside this roadway. Use of this space may result in a decrease to the Applicant's landscaped area and proposed promenade.

Mr. Tinter asked if the Applicant would accept a condition of approval requiring them to work with the City and Jackson Tower Condominium residents to resolve the Birch Road issue prior to City Commission approval. Mr. Lochrie confirmed that the Applicant was willing to comply with this condition.

Vice Chair Fertig asked if the Applicant would agree to a condition to review their trip generation figures to ensure accuracy, and to ask for additional trips if necessary. Mr. Lochrie also agreed to this proposal.

Mr. Shechtman asked if spaces within the garage would be reserved exclusively for the project's use. Mr. Lochrie replied that the Applicant will discuss this with the City's Parking Division. They feel that reserving a number of these spaces would make sense for the project.

Vice Chair Fertig asked if the Applicant would agree to a condition that by the time the project goes before the City Commission, there would be a plan for Boat Show operations during construction. Mr. Lochrie confirmed this.

Mr. Tinter asked if the project required any variances or waivers. Randall Robinson, representing Urban Design and Planning, replied that because the project is relatively small in comparison to the size of the lot, it was easy to address criteria for approval, including dimensional requirements and neighborhood compatibility.

Vice Chair Fertig asserted that the City's Comprehensive Plan requires trip calculation to be made in a certain manner, and she was not certain whether or not the Board had heard a definitive answer regarding the accuracy of this calculation.

Motion made by Mr. Tinter, seconded by Mr. Barranco, to approve, subject to Staff conditions and additional conditions that would:

- Limit the restaurant space to 375 seats
- That the Applicant meet with City Staff and representatives of Jackson Tower to try to resolve the issue of the access along Birch Road prior to City Commission meeting
- Reconfirm the trip count in compliance with the [Comprehensive] Plan
- That there be a phasing plan to minimize interference with the Boat Show during construction

- That [the Applicant] work with the City regarding Las Olas Circle and Birch Road widening to make each lane 10 ft. [wide]

Mr. Zaretsky, who had addressed the Board during the public hearing, stated that the material he had submitted at tonight's meeting was sent electronically on Monday, June 17, 2019. He objected to the fact that the Board had not received this material prior to the meeting. Attorney Spence noted that the documents were presented to the Board prior to their vote on the Item. Ms. Parker added that the Board had also received these documents via an email from Staff.

Mr. Shechtman advised that he would like the **motion** to directly address the issue of the Applicant providing 10 ft. of space on Birch Road. Mr. Tinter noted that this space is identified on the Site Plan, although it is not described as a dedicated right-of-way.

Vice Chair Fertig expressed concern that there are a number of "unknowns" associated with the project, as well as new information which has not yet been verified. She asked if other Board members wished to defer the Item until the July 17, 2019 meeting. Chair Maus pointed out that a **motion** for approval has been made.

Attorney Spence stated that if the current **motion** fails, this would result in denial of the project. The Board may defer if they feel there is insufficient evidence on which to base a decision. Should the **motion** fail, the Applicant could move forward to the City Commission with the recommendation for denial; alternatively, a motion to reconsider the Item could be made by a Board member who had been on the prevailing side of the vote.

In a roll call vote, the **motion** passed 6-2 (Chair Maus and Mr. Shechtman dissenting).

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| 9. CASE: | T19010 |
| REQUEST: | Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-20.3, Parking and Loading Requirements, Reductions and Exemptions, to provide parking reduction and exemption options for historic resources. |
| APPLICANT: | City of Fort Lauderdale |
| GENERAL LOCATION: | City Wide |
| CASE PLANNER: | Trisha Logan |

~~Trisha Logan, representing Urban Design and Planning, explained that this Item is included in Phase 2 of proposed Historic Preservation Amendments to the Unified Land Development Regulations (ULDR). This phase proposes amendments that can help incentivize property owners into redeveloping or rehabilitating their properties that have been designated as historic by the City.~~