



CITY OF FORT LAUDERDALE

HISTORIC PRESERVATION BOARD
 CITY OF FORT LAUDERDALE
 MONDAY, MAY 7, 2018 - 5:00 P.M.
 FIRST FLOOR COMMISSION CHAMBER
 100 NORTH ANDREWS AVENUE
 FORT LAUDERDALE, FLORIDA

<u>Board Members</u>	<u>Attendance</u>	<u>Cumulative Attendance 6/2017 through 5/2018</u>	
		<u>Present</u>	<u>Absent</u>
David Kyner, Chair	P	9	1
George Figler, Vice Chair	P	8	2
Jason Blank	P	5	0
Brenda Flowers	P	10	0
Marilyn Mammano	A	7	3
Donna Mergenhagen	P	9	1
Phillip Morgan	P	9	1
Arthur Marcus	P	10	0
David Parker	P	4	0
Richard Rosa	A	2	1

City Staff

Shari Wallen, Assistant City Attorney
 Teresa Wright, Administrative Aide
 Trisha Logan, Planner III
 Suellen Robertson, Administrative Assistant
 Jamie Opperlee, Recording Secretary, Prototype Inc.

Communication to the City Commission

None

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1.	H-18-003 Rasim Cinar/Muammer Ihsan Kalkavan	6
2.	H-18-007 Steven L. Cohen and Associates, P.A./Paul Vigil	2
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1. Call to Order/Pledge of Allegiance

Chair Kyner called the meeting of the Historic Preservation Board to order at 5:03 p.m.

II. Determination of Quorum/Approval of Minutes

Roll was called and it was determined a quorum was present.

Motion made by Mr. Blank, seconded by Mr. Figler, to approve the minutes of the Board's March 2018 meeting. In a voice vote, motion passed unanimously.

III. Public Sign-in/Swearing-In

All members of the public wishing to address the Board on any item were sworn in.

Board members disclosed communications and site visits they had regarding each case.

The applicant for the first case was not present so the Board Heard Case number 2 first.

IV. Agenda Items:

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Case	H18007	FMSF#	BD2809
Owner	Paul Vigil		
Applicant	Steven L. Cohen and Associates, P.A.		
Address	1017 SW 4 Street		
General Location	Approximately 150 feet east of the northeast corner of the SW 4 Street and SW 11 Avenue intersection (north side).		
Legal Description	WAVERLY PLACE 2-19 D LOT 7,9 BLK 107		
Existing Use	Multi-Family Residential		
Proposed Use	Multi-Family Residential		
Zoning	RML-25		
Applicable ULDR Sections	47-24.11.C.3.c.i, 47-24.11.C.4.c, 47-17.7.B, 47-24.11.C.3.c.iii		
Request	<p>Proposed modifications to the previously issued Certificates of Appropriateness (HPB case number H17003).</p> <p>Certificate of Appropriateness for New Construction > 2000 SF GFA:</p> <ul style="list-style-type: none"> • Construction of cluster development including (3) new three-story buildings, each containing (2) units. 		

	Project site contains (2) existing historic structures including a single-family residence and accessory cottage structure, to remain.
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[See staff report attached hereto]

Ms. Logan reviewed the staff report and concluded with:

In reference to new construction, *The City of Fort Lauderdale Historic Preservation Design Guidelines* states:

In Fort Lauderdale's residential neighborhoods the following is encouraged:

- Preservation of the cohesive ambiance of historic properties and neighborhoods with compatible, sympathetic, and contemporary construction that is not visually overwhelming
- Matching setbacks (distances to property lines) of adjacent buildings on a streetscape
- Compatible siting, proportion, scale, form, materials, fenestration, roof configuration, details and finishes to adjacent and nearby properties

In accordance with Sections 47-17.7.B and 47-24.11.C.3.c.i of the ULDR staff recommends that the application for a COA for an amendment to original Certificate of Appropriateness application issued under HPB case number H17003 on June 5, 2017, to address proposed modifications to the original concept presented before the HPB to be **Approved with the following conditions:**

1. All glass shall be clear with the option of a low-e coating; and,
2. Applicant shall provide a protection plan for the historic structures located on site during construction activity to be submitted to the Urban Design and Planning Division, HPB Liaison, prior to submitting for permits; and,
3. Reduce the height of the windows on the north elevation of building "C" to provide a ratio of window height to floor height that is more consistent with the residential nature of the Sailboat Bend Historic District; and,
4. The applicant is required to contract with an archeologist to provide a shovel test survey that includes samples from throughout the project site and states whether the development site holds archeological significance. The archeologist must state within the report if further testing on the site is required and/or if monitoring by the archeologist is required during ground disturbing activity once construction commences. The shovel test survey and any further preliminary testing recommended by the archeologist must be provided prior to permitting and if monitoring is required, a final report must be submitted to the Urban Design and Planning Division, Historic Preservation Board Liaison within 45 days following the completion of the ground disturbing work; and,

5. This application is subject to the approval by Zoning and all ULDR requirements.

Steve Cohen, architect, said they agreed to the window reduction recommended by Ms. Logan and said they had increased the building separations and reduced the apparent height of "building A" by setting the third floor back. He believed they had accomplished what the Planning and Zoning Board had requested. Mr. Cohen said the windows Ms. Logan had suggested reducing could be eight feet tall instead of ten feet tall.

Mr. Figler asked if Mr. Cohen would consider adding metal railings to the third story north elevation as they were on the first and second floors and Mr. Cohen said they had not wanted every floor to be the same but they would agree to this if the Board desired. Ms. Flowers felt this would be too "busy." Mr. Marcus said he would trust Mr. Cohen's judgement regarding the railings. He thought the design was much improved from the last presentation.

Chair Kyner stated he was still having trouble with the number of gates and fences on the property: 10 gates and 18 fences. He wondered why there was not a central, communal green space with the houses facing each other instead of the individual small fenced in areas. Chair Kyner felt the walkway and fence system was very confusing and wondered how a guest or emergency services would find their way into a particular unit.

Chair Kyner said there was no room within the allocated green space for shade trees or shared green space. Mr. Cohen stated there was a combination of greenery and communal space on the property, including a gazebo and barbeque area. Mr. Cohen noted that the fences were only four feet tall and existed to separate the pool areas. He said they had altered the space so that all units except those that abutted the alley were entered from the central walkway. He stated they had increased separation between the units, landscaped both sides of the walkway and put in more landscaping than on the initial plan the Board had approved.

Chair Kyner asked the distance between fences and Mr. Cohen stated the distance between the existing historic house and that of "building C" fence was five feet. Chair Kyner thought this was a "tight squeeze." He said this was an example of maximizing "the interior space for the new structures, compared to the possibility of having less structure and more contingent landscaping, whereby the project could have more of a sense of community as opposed to each individual building, in essence, fighting with the adjacent building because they're simply too close." He stated the closeness of the buildings resulted in a lack of light because daylight could only enter when the sun was directly overhead.

Chair Kyner felt the buildings were too big and there were too many for this space, where the developer had maximized every inch. They had lost the ability for people to

move by having so many walkways. If the walkways were grouped together, they could have wider walkways, more contingent landscaping and fewer barriers.

Chair Kyner stated if Mr. Cohen did not have the two existing houses that they were trying to save in this space, 'I'm sure you wouldn't have picked this plan; I can almost guarantee you that no reasonable person would have picked this plan.' He reiterated the difficulty a stranger would have navigating the walkways to the individual units.

Mr. Cohen said his client would not have agreed to this design if he did not believe the units would sell. He said there were already buyers for the units, who did not object to the way they were laid out on the site.

Paul Vigil, owner/developer, said there was another cluster development in Sailboat Bend and the space there was "much, much tighter than this."

Ms. Mergenhagen said the overall appearance was "amazingly better" than the previous design. She noted that the landscape plan had a lot of Areca palms and she asked how much use the pavilion would get. She said she might prefer a large oak tree instead of a pavilion. Mr. Vigil said he was spending \$60,000 on landscaping because he desired a "wow factor." He explained he had tried to provide privacy and also to bring in as much light as possible.

Mr. Blank asked if Mr. Vigil took any issue with Ms. Logan's proposed five conditions and Mr. Vigil did not.

Chair Kyner opened the public input portion of the meeting. There being no one present wishing to address the Board on this matter, Chair Kyner closed the public hearing and brought the discussion back to the Board.

Mr. Blank moved to approve with Ms. Logan's five conditions. Mr. Figler suggested amending condition 3 to state, "Reduce the height of the windows on the third floor of the north elevation of building C to 8'0". Mr. Blank agreed to this amendment.

Motion made by Mr. Blank, seconded by Ms. Flowers to approve, with the following conditions, the request for a Certificate of Appropriateness under case number H17003 on June 5, 2017, to address proposed modifications to the original concept presented before the HPB to the original concept presented before the HPB based on a finding these requests are consistent with the purpose and intent of the Secretary of the Interior Standards for Historic Preservation and comply with the Historic Design Guidelines, as outlined in the above staff memorandum:

1. All glass shall be clear with the option of a low-e coating; and,
2. Applicant shall provide a protection plan for the historic structures located on site during construction activity to be submitted to the Urban Design and Planning Division, HPB Liaison, prior to submitting for permits; and,

3. Reduce the height of the windows on the third floor of the north elevation of building C to 8'0"; and,
4. The applicant is required to contract with an archeologist to provide a shovel test survey that includes samples from throughout the project site and states whether the development site holds archeological significance. The archeologist must state within the report if further testing on the site is required and/or if monitoring by the archeologist is required during ground disturbing activity once construction commences. The shovel test survey and any further preliminary testing recommended by the archeologist must be provided prior to permitting and if monitoring is required, a final report must be submitted to the Urban Design and Planning Division, Historic Preservation Board Liaison within 45 days following the completion of the ground disturbing work; and,
5. This application is subject to the approval by Zoning and all ULDR requirements.

In a roll call vote, motion passed 7-1 with Chair Kyner opposed.

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Case	H18003	FMSF#	
Owner	Muammer Ihsan Kalkavan		
Applicant	Rasim Cinar		
Address	1524 Argyle Drive		
General Location	Approximately 50 feet southwest of the SW 15 th Terrace and Argyle Drive intersection		
Legal Description	LOT 15 BLK 1 AMENDED PLAT OF RIVER HIGHLANDS P.B.15, P.69		
Existing Use	Residential		
Proposed Use	Residential		
Zoning	RS-8		
Applicable ULDR Sections	47-24.11.C.3.c.i, 47-24.11.C.3.c.iii, 47-17.7.B		
Request	<p>Proposed and After-the-fact modifications to the previously issued Certificates of Appropriateness (HPB case number H17001).</p> <p>Certificate of Appropriateness for Major Alteration:</p> <ul style="list-style-type: none"> •Amendment to original Certificate of Appropriateness application issued under HPB case number H17001 on 		

	February 6, 2017, to address proposed modifications and after-the-fact modifications to the original concept presented before the HPB.
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[See staff report attached hereto]

Ms. Logan reviewed the staff report and concluded with:
In accordance with Sections 47-17.7.B and 47-24.11.C.3.c.i of the ULDR staff recommends that the application for a COA for an amendment to original Certificate of Appropriateness application issued under HPB case number H17001 on February 6, 2017, to address modifications proposed and made after-the-fact to the original concept presented before the HPB to be approved.

Rasim Cinar, contractor, explained that he had changed the stone and displayed a sample. He said he had met with Ms. Logan a few times. He had not made a presentation the Sailboat Bend Civic Association design committee.

Mr. Cinar stated the coral stone would be applied to the west (rear) elevation on the ground floor and would wrap around the sides. The second floor would be stucco with a Hardiplank overlap look.

Mr. Blank recalled the Board had discussed the original application at length, and their real concern had been the material, which Mr. Cinar had agreed to modify. He stated this new material conformed with the Board' wishes.

Chair Kyner opened the public input portion of the meeting. There being no one present wishing to address the Board on this matter, Chair Kyner closed the public hearing and brought the discussion back to the Board.

Motion made by Mr. Figler, seconded by Mr. Marcus to approve the request for a Certificate of Appropriateness under case number H18003 located at 1524 Argyle Drive for an amendment to original Certificate of Appropriateness application issued under HPB case number H17001 on February 6, 2017, to address modifications proposed and made after-the-fact to the original concept presented before the HPB based on a finding these requests are consistent with the purpose and intent of the Secretary of the Interior Standards for Historic Preservation and comply with the Historic Design Guidelines, as outlined in the above staff memorandum.

In a voice vote, motion passed 8-0.

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Case	H18006	FMSF#	N/A
Owner	Tequesta Holdings LLC		
Applicant	Marco Ruiz, Tequesta Holdings LLC		
Address	1001 SW 4 th Street		
Landmark/District	Sailboat Bend Historic District		
General Location	Northwest corner of the SW 4 th Court and SW 10 th Avenue intersection.		
Legal Description	WAVERLY PLACE 2-19 D LOTS 1 & 3 BLK 107		
Existing Use	Vacant Lot		
Proposed Use	Residential		
Zoning	RML-25		
Applicable ULDR Sections	47-24.11.C.3.c.i, 47-17.7.B, 47-24.11.C.3.c.iii		
Request(s)	Certificate of Appropriateness for New Construction > 2000 SF GFA: <ul style="list-style-type: none"> • Construction of a new three-story eight unit townhouse development. 		

[See staff report attached hereto]

Ms. Wright distributed copies of a letter from the Sailboat Bend Civic Association regarding this project.

Ms. Logan read the staff report and concluded with:

In reference to new construction, *The City of Fort Lauderdale Historic Preservation Design Guidelines* states:

In Fort Lauderdale's residential neighborhoods the following is encouraged:

- Preservation of the cohesive ambiance of historic properties and neighborhoods with compatible, sympathetic, and contemporary construction that is not visually overwhelming;
- Matching setbacks (distances to property lines) of adjacent buildings on a streetscape; and,
- Compatible siting, proportion, scale, form, materials, fenestration, roof configuration, details and finishes to adjacent and nearby properties.

In accordance with Sections 47-17.7.A and 47-24.11.C.3.c.iii of the ULDR, staff recommends that the application for a COA for new construction of a new three-story townhouse residence be **Approved with the following Conditions:**

1. All glass shall be clear with the option of a low-e coating; and,
2. Masonry courtyard wall is limited to a height of 30" above grade; and,
3. Placement of additional Bahama Shutters on the third level of the SW 4th Street elevation to extend the pattern of placement of the shutters along the SW 10th Avenue elevation; and,
4. While the renderings are representative of the project, the drawn elevations shall supersede all differences between the renderings and elevations; and,
5. The applicant has contracted with Advance Archaeology, Inc. (AAI) to provide a Phase I archaeological assessment survey of the property and has submitted the initial report and has recommended to provide archaeological monitoring during ground disturbance activity AAI shall provide a final report to the Historic Preservation Board Liaison within 45 days following the completion of work; and,
6. This application is subject to the approval by Building, Zoning, and all ULDR requirements.

Marco Ruiz, applicant, provided a Power Point presentation, a copy of which is attached to these minutes for the public record.

Ms. Flowers thought the alignment of the two-car garages was very interesting.

Mr. Marcus liked the variation on the façade because it broke up the effect and made it more interesting. He agreed with the staff recommendation to add the Bahama shutters on the third floor because each street elevation was important and this carried the design intent around. He thought changing the balconies would give the design a little more "oomph."

The Board and staff discussed the addition of the Bahama shutters and Mr. Blank was concerned that a shutter over the balcony window might interfere with enjoyment of the balcony. He suggested that just the four windows to the left of the balcony be shuttered.

Mr. Figler asked if this color palette had been used anywhere else on this type of architectural design; he did not see that these colors had any place in South Florida, let alone on a Bahamian type structure. Mr. Ruiz said there was a project in West Palm Beach called City Site and one called Evergreen in North Palm Beach where they had utilized this color scheme. He agreed they could alter the colors if the Board wished.

Chair Kyner said this was a very sensitive design and they had done a great job by leaving some space by the garages. He liked the sidewalks and the fact that the cars were in the rear.

Chair Kyner thought that lining up the balconies made the design appear like a condo and he also worried about the aesthetics of people leaving "a whole bunch of stuff out there."

Mr. Ruiz pointed out that they were saving some mature trees on the property. He said there would be a homeowners association, so there would be rules about the balconies.

Mr. Parker said Sailboat Bend did not like walls of garages in the front of properties and Mr. Ruiz had taken this to heart. He noted that the sloping of the north end unit prevented it from dwarfing the adjacent house.

Mr. Blank referred to the letter from the Sailboat Bend Civic Association wherein they unanimously approved of this project.

Chair Kyner opened the public input portion of the meeting. There being no one present wishing to address the Board on this matter, Chair Kyner closed the public hearing and brought the discussion back to the Board.

Mr. Marcus moved to approve the request with the staff conditions, editing condition 3 to indicate that the Bahama shutters would be on the four windows to the left of the balcony areas. He also wanted to add that perhaps the applicant would consult with staff about the palette.

Ms. Logan said it was difficult for staff to implement a comment like this one regarding the palette. Mr. Marcus clarified that the palette should have "more of a South Florida or Caribbean feel." Ms. Wallen noted that staff could not enforce the color scheme. Ms. Logan stated the design guidelines did not allow them to enforce colors. The colors this applicant had presented had played no role in staff's recommendations.

Mr. Blank suggested that the palette not be mentioned in the motion, since it was not enforceable.

Mr. Ruiz agreed to look into changing the color scheme.

Mr. Marcus agreed it was up to the discretion of the applicant to see what could be done to have the colors better reflect South Florida and Mr. Ruiz agreed.

Motion made by Mr. Marcus, seconded by Mr. Blank to approve, with the following conditions, the request for a Certificate of Appropriateness under case number H18006 located at 1001 SW 4th Street for the new construction of a three-story townhouse development based on a finding these requests are consistent with the purpose and intent of the Secretary of the Interior Standards for Historic Preservation and comply with the Historic Design Guidelines, as outlined in the above staff memorandum.

1. All glass shall be clear with the option of a low-e coating; and,

2. Masonry courtyard wall is limited to a height of 30" above grade; and,
3. Placement of additional Bahama Shutters on the third level of the SW 4th Street elevation on only the four windows to the left of the balcony area to extend the pattern of placement of the shutters along the SW 10th Avenue elevation; and,
4. While the renderings are representative of the project, the drawn elevations shall supersede all differences between the renderings and elevations; and,
5. The applicant has contracted with Advance Archaeology, Inc. (AAI) to provide a Phase I archaeological assessment survey of the property and has submitted the initial report and has recommended to provide archaeological monitoring during ground disturbance activity AAI shall provide a final report to the Historic Preservation Board Liaison within 45 days following the completion of work; and,
6. This application is subject to the approval by Building, Zoning, and all ULDR requirements.
7. The applicant will take another look at the colors to incorporate something more appropriate for Sailboat Bend and South Florida.

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

V. Communication to the City Commission

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None

VI. Good of the City

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2. Move and vote to amend current HPB meeting calendar to change the HPB meeting date from Tuesday, September 4, 2018, at 5pm to Wednesday, September 5, 2018, at 5pm.

Ms. Logan stated the September meeting had been rescheduled to Wednesday, September 5 to accommodate the City Commission meeting.

Motion made by Mr. Marcus, seconded by Mr. Morgan, to approve the Board's calendar for 2018. In a voice vote, motion passed unanimously.

1. Discussion of after-the-fact approvals and improvement of the review process.

Ms. Mergenhagen said she had wanted to discuss this in light of applicants who performed alterations without permission from the Board and then assumed the work would be approved.

Ms. Wallen said the Building Official had the ability to issue a Stop Work order on a property when work was being performed without permits.

Mr. Figler wanted to know how they could stop this from happening and Ms. Wallen said staff could inform the Building Official that this was happening often and he could consider how resources could be used to do something about it.

Ms. Logan explained that sometimes, during construction, a contractor made changes for a variety of reasons and inspectors were not always equipped with all of the information about what the project was supposed to be in every phase. It was only when she visited a property that she may note that work was being done incorrectly, or when an applicant came in with a revision that Ms. Logan would inform them that it did not match what was originally proposed and must be presented to the Board.

Ms. Logan said the way the code was written, staff did not have the flexibility to make any determination about changes made after the project was approved. If the change was out of character with what had been approved, Ms. Logan would recommend that the change must be replaced and it would be up to the Board to make the determination if there was some justification for the change.

Mr. Blank asked if Ms. Logan would want the Board to make a recommendation to the City Commission that staff should have some flexibility when an applicant applied for an after-the-fact request. Mr. Logan explained how the 15-day call-up process worked and how staff could consider allowing a change that was still in the same style and in keeping with the basic design that had received approval. To prompt the call-up process, she would prepare a memo to send to the HPB Board members and the City Commission, who all had 15 days to respond that they agreed with her assessment or wanted this to be presented to the HPB or the City Commission. Ms. Logan said this only applied to Sailboat Bend; all other properties *must* come before the HPB.

Mr. Parker said they were lucky to have Ms. Logan representing the neighborhoods. He felt there were much farther ahead than they used to be.

Mr. Blank asked if Ms. Logan wanted the Board to communicate to the City Commission that she should have additional powers to approve after-the-fact requests. Ms. Mergenhagen felt it was a mistake to change the code based on the Board's positive experience with Ms. Logan.

Chair Kyner believed the call-up period worked well and City Commissioners were savvy about whether something rose to the level of having to be adjudicated.

Mr. Figler thanked staff for providing the Board with the "Historic Preservation Board Member Binder," which he thought was brilliant.

Ms. Logan said she was currently working on some changes to the code that would be presented to the Board later.

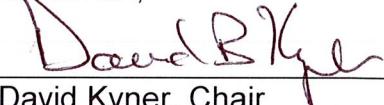
Chair Kyner said Commissioner Glassman wanted to honor the Board and other organizations that supported historic preservation with proclamations on May 15. He asked Ms. Logan to send Board members the agenda for that meeting and said he wanted as many Board members as possible to attend.

Ms. Logan announced that at the next meeting, Board elections would take place.

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 7:32 p.m.

Chairman,



David Kyner, Chair

Attest:



ProtoType Inc. Recording Secretary

The City of Fort Lauderdale maintains a Website for the Historic Preservation Board Meeting Agendas and Results:

<http://www.fortlauderdale.gov/departments/city-clerk-s-office/board-and-committee-agendas-and-minutes/historic-preservation-board>

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.