

**MINUTES OF THE MARINE ADVISORY BOARD
100 NORTH ANDREWS AVENUE
COMMISSION CONFERENCE ROOM – EIGHTH FLOOR
FORT LAUDERDALE, FLORIDA
THURSDAY, JANUARY 3, 2019 – 6:00 P.M.**

<u>Board Members</u>	<i>Attendance</i>	Cumulative Attendance May 2018 - April 2019	
		<u>Present</u>	<u>Absent</u>
Grant Henderson, Chair	P	7	0
Ed Strobel, Vice Chair	P	7	0
Jimi Batchelor	A	2	4
Cliff Berry II	A	5	2
George Cable	P	5	2
Robyn Chiarelli (arr. 6:04)	P	2	2
Richard Graves	P	6	1
Rose Ann Lovell (arr. 6:04)	P	5	1
Kitty McGowan	P	4	2
Norbert McLaughlin	P	5	1
Ted Morley	A	0	1
Curtis Parker	P	4	1
Roy Sea	P	7	0
Randy Sweers	P	5	1
Bill Walker	A	4	3

As of this date, there are 15 appointed members to the Board, which means 8 would constitute a quorum.

Staff

Andrew Cuba, Manager of Marine Facilities
Sergeant Todd Mills, Fort Lauderdale Police Department
Jonathan Luscomb, Supervisor of Marine Facilities
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. Call to Order / Roll Call

Chair Henderson called the meeting to order at 6:01 p.m. and roll was called.

II. Approval of Minutes – December 6, 2018

Motion made by Mr. Strobel, seconded by Mr. McLaughlin, to approve. In a voice vote, the **motion** passed unanimously.

III. Statement of Quorum

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

Ms. Chiarelli and Ms. Lovell arrived at 6:04 p.m.

IV. Waterway Crime & Boating Safety Report / Fire Department Report

Sergeant Todd Mills of the Fort Lauderdale Police Department reported the following Marine Unit activity from December 2018:

- 14 citations
- 87 warnings
- 18 safety inspections
- 2 accidents
- 3 burglaries
- 3 thefts
- 12 additional incidents

The miscellaneous incidents included a boat fire, two welfare checks, and a missing canoe, which was recovered. A fire occurred at Bahia Mar with no major injuries. The Marine Unit also responded to a sunken vessel on private property. The Winterfest Boat Parade was held with only minor weather concerns.

V. Dock Permit – 1700 Brickell Drive – Neal R. Kalis as Trustee of the 1700 Brickell Land Trust

Neal Kalis, Trustee of the Brickell land trust, explained that the dock is located on the Sospiro canal off the New River. Brickell Drive terminates at this dock. A permit was originally issued several years ago and assigned to another individual in the 1970s. The City Commission approved this transfer of permit.

The subject property is located on a heavily traveled part of the New River and has no dock. Turbulence and currents are common in the area. The dock was assigned to the Brickell Land Trust in 2018, subject to Marine Advisory Board (MAB) and City Commission approval. It is approximately 46 ft. by 8 ft. in size and appears to be well-maintained. While the permit is intended to last for five years, Mr. Kalis advised that he is requesting a longer term, as maintenance of the property may include replacement of seawalls and other improvements.

Mr. McLaughlin requested clarification that the transfer would change private ownership of a dock on public land. Mr. Kalis stated that the property's two neighbors on the

Sospiro Canal already have docks; however, the subject dock is on the Sospiro Canal and is approximately 100 ft. farther down the street.

Mr. Cuba clarified that the issue before the Board is not the transfer of a dock permit, but an application for a new dock permit. While a transfer of permit previously took place at the subject location, the City no longer allows this. The permit is for an existing dock not immediately adjacent to the property. He pointed out that the location of the dock should not be an issue, as only one Applicant is seeking its use.

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

Motion made by Mr. Sweers, seconded by Mr. McLaughlin, to approve. In a voice vote, the **motion** passed unanimously.

Mr. Cuba advised that the City Commission will make a determination on the duration of the permit.

VI. Presentation – Fort Lauderdale Marina / Peter Henn – Greenberg Traurig, PA

Barbara Hall, representing Greenberg Traurig, PA, showed a PowerPoint presentation on the Fort Lauderdale Marina. The facility was constructed in 1955 but has deteriorated significantly since that time. New owners took possession of the property roughly two years ago and began its redevelopment.

While there were no homes surrounding the property in 1955, a residential community built up around the facility in the 1960s. In recent years the property has not been maintained or environmentally upgraded, and Code violations existed when the current owners purchased the facility. The owners have worked to correct these violations in the marina basin portion of the property, which included violations to electrical systems and septic flow issues. The proposed project is expected to correct these violations.

Ms. Hall showed a rendering of plans for the property, stating that permits have been received for changes to the marina basin side. Plans include 35 wet slips, a new electrical system, lighting, a fueling system, and a covered structure with restroom facilities.

Redevelopment of the upland property will include three rows of dry stack storage. Ms. Hall showed a rendering of this storage facility, which will include aluminum screening facing the residential area. Its ground level will include office, repair, and storage space for owners who use the marina.

The property will be developed in two phases. The first phase will include 274 dry slips and 28,006 sq. ft. of indoor space and ground level storage/repair of large boats. All infrastructure required for the development will be constructed in the first phase, including parking, drainage, and landscaping. The second phase will add 356 dry slips and 15,284 sq. ft. of enclosed space, or a combination thereof, depending upon market demand and marina operations.

Because the marina preceded development of the adjacent residential neighborhood, zoning for the property is industrial. The development team has met with residential neighbors of the marina to determine how compatibility concerns can best be addressed. Although height up to 150 ft. is allowed in industrial zoning districts, the developer plans to build to 70 ft. Setbacks are terraced so the highest portion of the structure will be set back 83 ft. 8 in. from the property line. This results in a lighter building and fewer shadows on the residential neighborhood. Activity likely to produce noise is located on the opposite side of the development from its residential neighbors, and ground-level storage and repair are located closer to I-95.

When the residential neighborhood was first developed, all deeds to homeowners include a 20 ft. access easement over the rear of the property in favor of the marina. This easement has been in existence since the 1950s and includes the rear 20 ft. of nearby residential lots. The marina project will return this easement to the residential property owners, although it will be used as a construction road during the first phase of development. A wall that is 8 ft. in height on the residential side and 6 ft. on the marina side will be constructed. This height differential is due to the elevation of the marina property.

Ms. Hall concluded that the project will develop a historic marina to make it economically sustainable, provide accessible boat storage and a new fueling station on the New River, correct stormwater sheet flow into the waterway, replace the septic system with sewer service, and support the boating industry and tourist economy, among other improvements.

Ms. McGowan requested additional information on repair work at the facility. Susan Engle, project manager for the Fort Lauderdale Marina, explained that the location will continue to operate as a full boatyard, although the upland facility will focus on smaller vessels than those currently repaired at the site. Boats are expected to be up to 100 ft. in length. A 150 ton boat lift will be used at the marina.

Chair Henderson asked for information on the time frame for redevelopment. Ms. Engle stated that the marina portion would be open by the end of January 2019. An application will go before the City's Planning and Zoning Board in January and before the Development Review Committee (DRC) later in the year. She estimated the building permit process is roughly eight months from completion.

Mr. McLaughlin asked if the marina will accommodate live-aboard vessels. Ms. Engle replied that crews may remain on large yachts at the facility. Fueling will occur on the south side of the property. Storage stacks will be 70 ft. in height.

Ms. Engle continued that a hurricane preparation plan is in development for the marina. The facility owner has experienced hurricanes in projects with dry stacks, which have held up well. It was noted that storage must be built to withstand at least Category 4 winds.

Motion made by Mr. McLaughlin, seconded by Mr. Sweers, to support the project. In a voice vote, the **motion** passed unanimously.

VII. Discussion – February 20th, 2019 Municipal Marine Boards Liaisons Meeting

Mr. Cuba stated that the annual Broward County Municipal Marine Boards Liaison meeting will be held at the War Memorial Auditorium on February 20, 2019. The MAB is asked to consider and submit Fort Lauderdale's priorities for discussion. He suggested that these priorities be discussed in a preliminary manner at today's meeting and finalized at the February 2019 meeting. Members may also send recommended priorities to Mr. Cuba's office after tonight's meeting.

Priorities submitted to the 2018 meeting included the retention of a working waterfront, creation of an updated Marine Master Plan, boater safety, creation of a Marine Safety Committee, and an increase in marine history and awareness.

The Board discussed the following potential priorities and concerns:

- Retention of zoning and/or use of deed restrictions to allow waterfront businesses to remain in place
- Retention/expansion of lot storage for vessels
- Legal protections for the marine industry

Mr. Cuba recalled that at the 2018 Liaison meeting, there was discussion of priorities for the entire group rather than those specific to Fort Lauderdale. This included motorized and non-motorized vessels immediately offshore, speed zones, retention of working waterfront, and other concepts. He recommended that priorities be specific.

The Board discussed the possibility of converting City and/or County land west of the airport to industrial zoning, which would support use by the marine industry. They also addressed sea level rise, which would have been included in the Marine Master Plan discussed the previous year, as well as the impact of train service on local bridges.

Mr. McLaughlin asked if the issue of live-aboard vessels anchored on Lake Sylvia was still an issue. Sgt. Mills recalled that the City may not limit the length of time a vessel may be moored as long as it is considered "in transit." Anchoring is prohibited in an area

designated for waterskiing; however, there have been no changes to anchoring regulations if the navigable waterway is not blocked.

The Board also discussed mooring fields, with Sgt. Mills noting that a study is underway on this topic. He added that anchoring remains an issue in other municipalities, such as Hollywood, and may be addressed through the designation of mooring fields. There has been discussion of how close an anchored vessel may be to private property, which has yet to be resolved.

Mr. Strobel asked if there are regulations in effect for sanitation and the pumping out of vessels. Sgt. Mills replied that there are currently no such requirements, although discussions on sanitation and discharge concerns are ongoing. It can be difficult to ensure that these regulations are followed.

Chair Henderson suggested that an update on dredging could be one of the priorities submitted from Fort Lauderdale. Mr. McLaughlin pointed out that a stormwater surcharge on residents' utility bills could be used toward maintenance dredging. Mr. Cuba noted that the City has invested significantly in one-way valves, which prevent backflow of water onto land. He added that the Cordova Road seawall will be discussed at the Board's February 2019 regular meeting, including a presentation by the City's Public Works Department, which can address this concern in greater depth.

VIII. Reports

None.

IX. Old / New Business

The Board members determined by consensus that there would be no July 2019 meeting. They will meet in August instead.

X. Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 7:15 p.m.

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

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