

**MINUTES
SITE PLAN REVIEW AND APPEARANCE BOARD
CITY OF DELRAY BEACH
REGULAR MEETING**

MEETING DATE: December 09, 2015

MEETING PLACE: City Commission Chambers

MEMBERS PRESENT: Andrew Youngross, James Chard, Brett Porak, Jim Knight, Roger Cope, Vlad Dumitrescu and Jose Aguila

MEMBERS ABSENT: All are present

STAFF PRESENT: Jennifer Buce, Permit Sign Specialist, Janice Rustin, City Attorney, Candi Jefferson, Senior Planner and Kelly Simmons, Board Secretary

I. CALL TO ORDER

The meeting was called to order by Chair Jose Aguila at 6:01 P.M. Upon roll call it was determined that a quorum was present. Chair Jose Aguila read the Quasi-Judicial Rules for the City of Delray Beach and Mrs. Simmons swore in all who wished to give testimony on any agenda item.

II. APPROVE MINUTES

A motion to approve the Minutes from October 28, 2015 was made by James Chard and seconded by Roger Cope, with the following revision to be made:

- On page 6, missing a word should be changed to “a days notice.”

MOTION CARRIED 7-0.

Comments from the Public – (Comments on items that are NOT on the Agenda will be taken immediately prior to Public Hearing Items.) None.

VIII Project Plans

A. Downtown Delray Medical Center (Extension Request) 530 SE 6th Avenue

Exparte Communication –

James Chard – He advised that spoke with residents on their views about the projects but nothing with the applicant.

Candi Jefferson, Senior Planner – Advised that the applicant is requesting an extension of their original site plan that will expire on December 11, 2015. The proposal includes a site plan, landscape plan and architectural elevations for 24 months. The staff has the following comments:

Construction Fence: The applicant currently has a construction fence installed around the perimeter of the site that does not have proper permitting. We advised them that the current construction fence needs to be taken down. We are also allowing them the opportunity to file for correct permitting of the correct construction type fence that is with code for the site.

Staff Report: The first two conditions identified in the staff report have been satisfied since the report went out so they are no longer an issue. The remaining conditions, items 3 – 7 are still valid. Below are a few examples of the remaining items:

Traffic Concurrency Determination: The concurrency determination that was originally attached to the site plan will expire at the end of this calendar year and they will need to get a Traffic Concurrency determination.

Continuous Paved Access Road: Need a continuous paved access road between the nearest paved street and SE 5th & 6th Avenue. These changes need to be coordinated with City Engineer.

Bus Shelter Fee: The applicant is required to pay a bus shelter fee in the amount of \$11,000 prior to the issuance of a building permit.

Record Plat Property: They will need to record the Plat of the property with Palm Beach County. To the best of our knowledge this has not be recorded.

Applicant's Presentation

Richard Jones, Richard Jones Architecture – The Federal Highway Improvements have been really great for this area and project. At the time of applying for this project it was ahead of its time. Owner started actively marketing for office medical space tenants but just has not been able to secure enough tenants as of yet. The applicant is working with a broker's office and trying to secure the tenants that he needs. Now that the Federal Highway improvements are completed he feels this will be done in the next 12 – 24 months and the project will be able to move forward. We therefore ask for your consideration for an extension for this project.

Public Comments

James Quillian – Osceola Park Resident

It's been over 2 years now and that seems like more than enough time. I don't see why we have to give them now another 2 years to get this done. If a resident ask for an extension to building their house I don't think they will get their extension. Also is there going to be some confusion as to the name and the fact that it says Delray Medical Center. I would like the Board to consider these points.

Gail-Lee McDermott – Osceola Park Resident

I have been an Osceola Park resident here for over 20 years. I have 2 concerns and my first is that this is not Downtown. We are Osceola Park and I am confused as to why it says Downtown Delray Medical Center. I also feel that this is becoming too much a “medical row”. As for the extension I don’t understand how they could not have gotten their act together in two years and why would they be given yet another two years to get this done.

Rebuttal

Richard Jones – I just want to say that Rick Caster is well known to me and is a personal friend as well. He is also a well-known and well respected developer and has his act together. It’s just the market is a “little off”.

Board Comments

Roger Cope – I’m in complete support of the request and I feel that every developer has the right for this. Take care of the fence issue and move on and I will be in complete support.

Vlad Dumitrescu – I am just questioning that there is no request for sod or anything else. I’m just wondering is this going to just be vacant for another two years or are they working or planning on doing anything else in regards to make it look more than just vacant.

Jim Knight – Couldn’t we suggest that they at least seed or grass it to make it look better in the interim? I also think that if you have it fenced and screened it will look better. I think that the concern from the residents is that they don’t understand the type of applicants they are looking to fill as tenants. Maybe more explanation to that would be welcome.

James Chard – This lot has been vacant for over 15 years now. What is the result to the applicant if we do not approve this extension?

Candi Jefferson– They would have to come before you again and submit it as a new project or plan or resubmit the same plan over again at additional costs and the whole entire new GC codes and fees and new reviews and new requirements also.

James Chard – So we would essentially “grand fathering” the project in? What if we would do a 12 or 18 month extension instead?

Scott Pope (Principal Planner) – I don’t think 12 months would be feasible. I would suggest at least 18 or 24 months.

Motion to approve the Extension Request for Site Plan, Landscape Plan and Architectural Elevations for **Downtown Delray Medical Center** was made by Andrew

Excerpt Minutes of the December 09, 2015 SPRAB BOARD Meeting

Youngross and seconded by Jim Knight, subject to the 7 conditions listed in staff report and a new condition added by the Board requiring that the fence be screened.

MOTION CARRIED 7-0.

(These notes are an abbreviated version of this meeting. The full audio dialog is available at City Hall for anyone that would like the full recording.)