

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

MEETING DATE: October 25, 2023

MEETING PLACE: City Commission Chambers

1. CALL TO ORDER

The meeting was called to order by Dana Adler, Chair, at 5:03 p.m.

2. ROLL CALL

A quorum was present.

Members Present: Dana Adler, Chair; Carol Perez, Vice Chair; Annette Gray, 2nd Vice Chair; Steven Cohen; Alison Thomas; Benjamin Baffer; and Linda Purdo.

Absent: None

Staff Present: Kelly Brandon Assistant City Attorney; Rafik Ibrahim, Principal Planner; Susana Rodrigues, Planner; and Rochelle Sinisgalli, Board Secretary.

3. APPROVAL OF AGENDA

Item 9A has been postponed.

MOTION to APPROVE the amended October 25, 2023, agenda was made by Alison Thomas and seconded by Carol Perez.

Motion Carried 7-0

Annette Gray was seated at the dais.

4. MINUTES

Motion to APPROVE the minutes of the August 23, 2023, and September 27, 2023, meetings was made by Carol Perez and seconded by Linda Purdo.

Motion Carried 7-0

5. SWEARING IN OF THE PUBLIC

Dana Adler, Chair, read the Quasi-Judicial Rules for the City of Delray Beach and Ms. Sinisgalli swore in all who wished to give testimony.

6. COMMENTS FROM THE PUBLIC

None

7. PRESENTATIONS

None

8. CONSENT AGENDA

None

9. QUASI-JUDICIAL HEARING ITEMS

A. Edge of Pineapple Grove (2022-008): Provide a recommendation to the City Commission for waiver requests to the requirements of the Central Business District (CBD) associated with a Class V Site Plan for an eight-unit townhouse development; the relief is to allow vehicular access from a Primary Street (NE 2nd Street) and to reduce the front setback requirement from ten feet to approximately three feet and six inches for the second and third floors and limited to the corner at the intersection of NE 6th Avenue and NE 2nd Street.

Address: 605 NE 2nd Street

PCN: 12-43-46-16-01-114-0090

Applicant: Downtown Second Street, LLC

Property Owner: 215 NE 6th Ave, LLC

Authorized Agent: Dunay, Miskel & Backman, LLP; bmiskel@dmbblaw.com, cbilenki@dmbblaw.com

Project Planner: Susie Rodrigues, Planner; rodriguess@mydelraybeach.com; Amy Alvarez, Principal Planner; alvarez@mydelraybeach.com

Item 9.A. has been postponed.

B. Fifth Third Bank (2022-267): Consideration of a Class V Site Plan Application, including a Landscape Plan and Architectural Elevations, for a standalone branch bank facility spanning 1,820 square feet, designated as Fifth Third Bank. The facility includes a drive-thru and a request for an exception in height to allow the parapet to exceed the maximum 4 feet to screen the rooftop equipment.

Address: 5070 West Atlantic Avenue

PCN: 12-42-46-14-24-002-0000

Applicant/Property Owner: KP Delray LLC

Agent: BDG Architects - Benjamin Lewis, permits@BDGllp.com

Planner: Susana Rodrigues; rodriguess@mydelraybeach.com

Susana Rodrigues, Planner, entered Project File 2022-267 into the record.

Applicant Presentation

Mathew Scott, Attorney; Dunay, Miskel and Backman LLP; 14 SE 4th Street, Boca Raton, FL 33432

Brett Nevaril, Project Engineer; Infinity Engineering Group; 1208 E Kennedy Boulevard, Tampa, FL 33602

Patrick Cunningham, Landscape Architect; 519 Sapphire Drive, Sarasota, FL 34234

Greg Walden, Architect; BDG Architects; 400 N Ashley Drive, Tampa, FL 33602

Staff Presentation

Susana Rodrigues, Planner, presented the project from a Microsoft PowerPoint presentation.

Exparte Communications

Annette Gray-None
Dana Adler-None
Carol Perez-None
Benjamin Baffer-None
Steven Cohen-None
Linda Purdo-None
Alison Thomas-None

Rebuttal/Cross

None

Public Comment

None

Board Comments

Linda Purdo voiced support for the project, for the addition of a mural and expressing no concerns regarding the structure's height.

Steven Cohen inquired about the number of waivers, with the applicant clarifying that most related to existing conditions at the location. Mr. Cohen further sought information from staff about the waiver related to the minimum square footage requirement.

Carol Perez conveyed her endorsement for the proposed landscape plan and the project as a whole.

Annette Gray expressed support for the landscape design and endorsed the requested waivers, citing the existing nonconformities at the development site.

Alison Thomas supported the proposed development.

Benjamin Baffer noted that the structure's design was fitting for the location.

Dana Adler voiced support for the entire project.

MOTION to move to approve of the Class V Site Plan Application, including a Landscape Plan and Architectural Elevations, for an 1,820 square foot freestanding branch bank facility, Fifth Third Bank, with a drive-thru, and a requested height exception for the parapet exceeding the maximum 4 feet to screen the roof equipment located at 5070 W Atlantic Avenue, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations, was made by Linda Purdo and seconded by Alison Thomas.

C. Atlantic Crossing (2022-191): Consideration of a Class III Site Plan Modification for Phase II of Atlantic Crossing including the reduction of the number of units in Building

IV-S from 30 to 15, reduction of the retail/commercial area in Building IV-S, modifications to the exterior elevations for both Buildings IV-S and II, and reduction in the amount of parking spaces in the SE Parking Garage.

Address: 777 East Atlantic Avenue (Phase II: Buildings II and IV-S)

PCN: 12-43-46-16-P7-001-0020

Property Owner: Edwards Intracoastal, LLC

Applicant: Bryce Hall; bryceh@kephart.com

Authorized Agent: Kimberly Ulle; kulle@edwardscompanies.com

Planner: Susana Rodrigues; rodrigues@mydelraybeach.com

Susana Rodrigues, Planner, entered Project File 2022-191 into the record.

Carol Perez recused herself from this item.

Applicant Presentation

Bryce Hall, Architect; 2555 Walnut Street, Denver, CO 80205

Staff Presentation

Susana Rodrigues, Planner, presented the project from a Microsoft PowerPoint presentation.

Experte Communications

Annette Gray-None

Carol Perez-None

Benjamin Baffer-None

Steven Cohen-None

Linda Purdo-None

Alison Thomas-None

Rebuttal/Cross

None

Public Comment

None

Board Comments

Benjamin Baffer voiced support for the original approved design, expressing reservations about the proposed Masonry Modern Design and raising concerns regarding the requested parking reduction.

Alison Thomas advocated for the initially approved architectural style, noting that the proposed Masonry Modern architectural style is not cohesive with the existing buildings.

Annette Gray emphasized the appropriateness of the original approved architectural style for the neighborhood, and its cohesiveness with the architectural style of the

existing structures. Ms. Gray also expressed concern about the reduction in the number of workforce housing units.

Steven Cohen voiced apprehension about the lack of consistency between the proposed Masonry Modern architectural style and the existing structures.

Linda Purdo questioned the compatibility of the Masonry Modern style with the overall project, highlighting the need for additional affordable housing rather than luxury apartments.

Dana Adler expressed reservations about the proposed lack of integration of the architectural style with the existing structures and stressed the need for affordable housing.

MOTION to move for a continuance of the Class III Site Plan Modification (2022-191) for Phase II of Atlantic Crossing (Phase II) including the reduction of the number of units in Building IV-S, reduction of the retail/commercial area in Building IV-S, modifications to the exterior elevations for both Buildings IV-S and II, and the reduction of parking spaces in the SE Parking Garage, by finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in the Land Development Regulations was made by Benjamin Baffer and seconded by Linda Purdo.

MOTION Carried 6-0

Carol Perez returned to the Dias.

10. Reports and Comments

A. City Staff

The upcoming Board meetings will be held on November 29, 2023, and December 13, 2023.

The amended Chapter 2 of the City's Land Development Regulations was adopted on October 17th. Board appointments will be conducted on November 7th regardless of status with terms beginning on November 1st.

B. Board Attorney

Kelly Brandon reminded the Board members that ethics training needs to be completed every two years. A legal training will be conducted, links to the video will be provided to the Board members.

C. Board Members

Steven Cohen asked about the difference between continuing a project versus denying a project.

11. ADJOURN

There being no further business to come before the Board, the meeting was adjourned at 6:37 p.m.

The undersigned is the Board Clerk of the Site Plan Review & Appearance Board and the information provided herein is the Minutes of the meeting of said body for **October 25, 2023**, which were formally adopted and APPROVED by the Board on

_____.

ATTEST:

CHAIR

BOARD SECRETARY

NOTE TO READER: If the Minutes you have received are not completed as indicated above, then this means that these are not the official Minutes of the Site Plan Review and Appearance Board. They will become official minutes only after review and approval, which may involve some amendments, additions, or deletions.