

City of Delray Beach

*100 N.W. 1st Avenue
Delray Beach, FL 33444*



Minutes

Monday, February 23, 2026

5:01 PM

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Planning and Zoning Board

1. CALL TO ORDER

The meeting was called to order by Gregory Snyder, Chair at 5:04pm.

2. ROLL CALL

A quorum was present at call to order.

- William Bennett, Assistant City Attorney
- Diane Miller, Board Secretary
- Rebekah Dasari, Principal Planner
- Charlie Landstrom, Planner
- Rafik Ibrahim, Principal Planner
- Alexia Howald, Senior Planner
- Barbara Pinkston, Senior Planner

Present: 7 - Gregory Snyder, Dedrick Straghn, Mitch Katz, Roger Cope, Price Patton, James Chard and Judy Mollica

3. APPROVAL OF AGENDA

Rebekah Dasari requested an amendment to the agenda to remove Item 8.A (File No. PZ-000234-202524) 24-Hour or Late Night Use, JFK Medical Center Freestanding Emergency Department. The applicant was continued to this date from the December 15, 2025 hearing, and they would like to withdraw from this agenda. A new mail notice will be sent out when the applicant is ready to proceed.

A motion to remove Item 8.A from the agenda and APPROVE the agenda as amended was made by Mitch Katz and seconded by Roger Cope. The motion carried by the following vote:

Yes: 7 - Snyder, Straghn, Katz, Cope, Patton, Chard and Mollica

4. MINUTES

Jim Chard arrived at the meeting at 5:10pm.

Motion to APPROVE the minutes of December 15, 2025 meeting made by Judy Mollica and seconded by Roger Cope.

Yes: 7 - Snyder, Straghn, Katz, Cope, Patton, Chard and Mollica

A. December 15, 2025

Attachments: [Minutes \(DRAFT\)](#)

5. SWEARING IN OF THE PUBLIC

Gregory Snyder, Chair, read the Quasi-Judicial Rules for the City of Delray Beach and Diane Miller, Board Secretary, swore in all who wished to give testimony.

6. COMMENTS FROM THE PUBLIC

None.

NOTE: Comments on items that are NOT on the Agenda. Speakers will be limited to 3 minutes.

7. PRESENTATIONS

A.

Initiation of the City's Annual Infrastructure Improvement Hearing:

Review the Capital Improvements Program (CIP) process and open the Annual Infrastructure Improvement Hearing. This initiation also serves as an announcement to the City of Delray Beach's residents, property owners, and businesses to begin thinking about the infrastructure needs they observe so they can share them with City Staff. Information regarding the submittal of public comments is provided in the attachment, along with the current Capital Improvement Program, for reference.

Planner: Rebekah Dasari; dasarir@mydelraybeach.com

Attachments: [Public Notice - Infrastructure Hearing](#)
[Adopted FY26-30 Capital Improvements Plan](#)

Rebekah Dasari, Principal Planner presented the City's Annual Infrastructure Improvement hearing and opened comments to the Board.

Roger Cope asked about the three categories in the Comprehensive Plan that dictate the prioritization of infrastructure projects, specifically the "Mandatory Improvement", relative to severe neighborhood flooding. He asked if the third phase of the seawall improvements along Marine Way along the Intracoastal Waterway are part of this program. Ms. Dasari said that Public Works will attend the April meeting to address comments raised during the hearing process.

Jim Chard asked if CIP expenditures are funded out of property tax dollars. Ms. Dasari said that the CIP is funded out of federal or state grants, dollars from special revenue funds, or the City budget. Mr. Chard also asked about beach restoration, and whether the City will fund coral reef restoration. Ms. Dasari said she will pose the question to the Public Works Department. He also asked about treating trees as infrastructure.

Mitch Katz asked about Phase II of the Barwick Road Bicycle and Pedestrian improvements and concerns raised about the Phase I improvements.

Price Patton asked if the \$258,000 allocation from the Atlantic Crossing settlement agreement to close NE 7th Avenue and for traffic calming in the Marina Historic District are in the capital budget. Ms. Dasari said that she would ask the Public Works Department for more information.

Mr. Patton asked if the Development Services Department re-configuration is for interior re-design or structural additions. Ms. Dasari said she would provide details at the April hearing.

8. QUASI-JUDICIAL HEARING ITEMS

- A. **24-Hour or Late Night Use, JFK Medical Center Freestanding Emergency Department (File No. PZ-000234-2025):** Provide a recommendation to the City Commission regarding a Conditional Use request to allow the establishment of a 24-Hour or Late-Night Use (Freestanding Emergency Department) at 3921 West Atlantic Avenue. (PUBLIC HEARING)

Address: 3921 West Atlantic Avenue

PCN: 12-43-46-18-33-001-0000

Applicant/Owner: JFK Medical Center Limited Partnership

Agent: John Roach, AICP; Gunster

Planner: Rebekah Dasari, AICP

Continued from December 15, 2025. At the request of the applicant the item will not be heard, and will be re-noticed when the applicant requests to proceed.

Attachments: [Request for Continuance](#)

- B. **400 Seasage Drive (File No. PZ-000207-2025):** Consideration of a variance request from Land Development Regulation (LDR) Section 4.3.4(H)(4), *Building elements or site improvements allowed in setbacks* per Table 4.3.4(A), to allow for the installation of a semi-permanent cabana in the rear setback.

Address: 400 Seasage Drive

PCN: 1243461639

Applicant/ Owner: Seagate Manor Condominium

Agent: Claudia Conde

Planner: Charlie Landstrom

Attachments: [Staff Report, 400 Seasage Drive](#)
[Variance Justification, 400 Seasage Drive](#)
[Plans, 400 Seasage Drive](#)
[Survey, 400 Seasage Drive](#)

Charlie Landstrom, Planner entered File No. PZ-000207-2025 into the record.

Ex Parte Communication

Judy Mollica and Gregory Snyder visited the site.

Applicant Presentation

Charlie Conde, Property Manager for Seagate Condominium presented the applicant's request.

Staff Presentation

Charlie Landstrom, Planner presented an overview and analysis of the request.

Public Comments

None.

Rebuttal/Cross Examination

None.

Board Comments

Mitch Katz complimented staff on the rapid turnaround from submittal to Board hearing.

Jim Chard asked the applicant why an umbrella was not considered instead of a cabana. Ms. Conde explained that a cabana would provide more shade for the residents and it would be safer in extreme weather.

Price Patton asked the applicant why consideration was not given for a larger covered area.

Judy Mollica had no questions and spoke in favor of the project.

Roger Cope agreed with Mr. Patton on a larger cabana size.

MOTION to APPROVE the Variance request for 400 Seasage Drive (PZ-000207-2025-VAR-PZ) from LDR Section 4.3.4(H)(4), Building elements or site improvements allowed in setbacks as identified in Table 4.3.4(A), to allow for the installation of a semi-permanent cabana in the rear

setback whereas 25 feet is required by finding that the request is consistent with the findings set forth in LDR Section 2.4.11(A)(5)(a-f) made by Mitch Katz and seconded by James Chard. The motion carried by the following vote:

Yes: 7 - Snyder, Straghn, Katz, Cope, Patton, Chard and Mollica

- C. 1065 SW 15th Avenue (File No. 2025-204):** Consideration of a Level 1 Site Plan application with Landscape Plan and associated Landscape Waiver and Variance to modify a portion of the existing parking area to accommodate additional parking spaces.
Address: 1065 SW 15th Avenue
PCN: 12-43-56-20-37-000-0010
Applicant/Owner: The Seneca Group, LLC
Agent: Paola West, AICP, ISA CA, PLANW3ST, LLC
Planner: Alexia Howald, Senior Planner

Attachments: [Staff Report, 1065 SW 15th Avenue](#)
[1065 SW 15th Avenue, SP1 Overall Location Plan](#)
[1065 SW 15th Avenue, SP2 Site Plan](#)
[1065 SW 15th Avenue, Open Space Diagram](#)
[1065 SW 15th Avenue, Waiver Narrative](#)
[1065 SW 15th Avenue, Variance Narrative](#)
[1065 SW 15th Avenue, Photographs](#)

Rafik Ibrahim, Principal Planner entered File No. 2025-204 into the record.

Ex Parte Communication

Dedrick Straghn-None.
 Jim Chard-None.
 Price Patton-None.
 Judy Mollica-Visited the site.
 Mitch Katz-None.
 Roger Cope-None.
 Gregory Snyder-Visited the site.

Applicant Presentation

Paula West, Land Planner - Planwest, LLC
 Nicole Carosella-Owen, Property Manager
 Shane Munson, Civil Engineer

Staff Presentation

Rafik Ibrahim, Principal Planner, presented an overview and analysis of the request.

Public Comments

None.

Rebuttal/Cross Examination

None.

Board Comments

Roger Cope noted the minimal changes in the proposed project.

Dedrick Straghn made a favorable comment about the proposed landscaping and parking improvements.

Jim Chard asked if a Level 1 site plan required a landscape plan, and if one was submitted with the application? Mr. Ibrahim explained to the Board that to the item under review is only the variance associated with the landscape plan.

Gregory Snyder asked the applicant to explain from the landscaping plan what trees are being removed and what is being planted.

James Chard also asked what trees are being planted and their size.

MOTION to APPROVE a Level 1 Site Plan Application including Landscape Plan, to construct 36 new parking spaces, along with a variance to the required 25 percent non-vehicular open space and a waiver to the required 5-foot perimeter landscape strip located at 1065 SW 15th Avenue, by finding that the request is consistent with the LDR and the Comprehensive Plan made by Mitch Katz and seconded by Dedrick Straghn. The motion carried by the following vote:

Yes: 7 - Snyder, Straghn, Katz, Cope, Patton, Chard and Mollica

D.

398 NE 6th Avenue (File No. 2025-082): Provide a recommendation to the City Commission on a Level 4 Site Plan application for a four-story, 20,399 square-foot mixed-use building at 398 NE 6th Avenue including Architectural Elevations; a Landscape Plan, with an associated waiver (Resolution No. 56-26) to the minimum 20-foot required front setback depth above the third story, relief to the tower element above the third story, and a determination of adequacy for reduction of required off-street loading

Address: 398 NE 6th Avenue

PCN: 12-43-46-16-05-105-0010

Applicant/Owner: Delray 6th Avenue Realty, LLC
Agent: Bradley Miller, Urban Design Studio
Planner: Alexia Howald, Senior Planner

- Attachments:** [Staff Report, 398 NE 6th Avenue](#)
[398 NE 6th Avenue, Site Plan](#)
[398 NE 6th Avenue, Landscape Plan](#)
[398 NE 6th Avenue, Engineering](#)
[398 NE 6th Avenue, Loading Demand Statement](#)
[398 NE 6th Avenue, Waiver Request Letter](#)
[398 NE 6th Avenue, Waste Mangement Email](#)
[398 NE 6th Avenue, FDOT Letter](#)
[398 NE 6th Avenue, SCAD Letter](#)
[398 NE 6th Avenue, TPS Letter](#)

Alexia Howald, Senior Planner entered File No. 2025-082 into the record.

Ex Parte Communication

- Price Patton-None.
- Mitch Katz-None.
- Dedrick Straghn-None.
- Jim Chard-None.
- Roger Cope-None.
- Judy Mollica-Visited the site.
- Gregory Snyder-Visited the site.

Applicant Presentation

Bradley Miller, Urban Design Studio
 Aleli De La Vega, REG Architecture
 Kyle Duncan, Civil Engineer with Simons and White

Staff Presentation

Alexia Howald, Senior Planner, presented an overview and analysis of the request.

Public Comments

None.

Rebuttal/Cross Examination

None.

Board Comments

Roger Cope noted support of the arched balcony element on all three levels. He noted that the one provided loading space is a plus to the building. Ms. Howald commented that they are providing a loading zone,

but it is inadequate to serve the anticipated demands of the development, according to the LDR requirements.

Dedrick Straghn commented that there will likely be some logistic problems with the alley way due to the proposed design. With people moving in, garbage trucks and parking in the alley already, there is already a lot of movement happening already and the area is not yet residential.

Judy Mollica asked Mr. Miller to explain how the tandem parking will work for the residents, and noted agreement with Mr. Cope's comments about the loading and unloading in the alley.

Price Patton also noted a concern about the trucks in the alley and not having sufficient room to navigate around them. He noted that the setback variance is minor, and it supports the tower on the building, which is a significant focal point.

James Chard noted that the landscaping could be a little more native, colorful and more creative.

Mitch Katz asked if it is a CBD requirement to build to 60' and to have such heavy massing. He expressed concern about the loading zone waiver. Mr. Miller noted that the condominium documents could have policies regarding move-in and move-out procedures.

Gregory Snyder commented that his concern was the same as Mr. Katz regarding the loading zone.

MOTION to recommend to the City Commission approval of a Level 4 Site Plan Application including Architectural Elevations and a Landscape Plan, to construct a 20,399 square-foot mixed-use building including an associated waiver to the minimum 20-foot required front setback depth above the third story, relief to the tower element above the third story, and a determination of adequacy for reduction of required off-street loading with the development located at 398 NE 6th Avenue, finding that the request is consistent with the Comprehensive Plan and meets the criteria in the Land Development Regulations, subject to conditions that the length of the off street loading be maximize as much as possible by either moving the transformer to the north and south made by Price Patton and seconded by James Chard. The motion carried by the following vote:

Yes: 6 - Snyder, Straghn, Cope, Patton, Chard and Mollica

No: 1 - Katz

The meeting recessed from 7:20pm to 7:32pm.

9. LEGISLATIVE ITEMS

- A. Amendment to the Land Development Regulations, Transient Residential Uses (File No. PZ-000302-2025):** Provide a recommendation to the City Commission on Ordinance No. 21-26, a City-initiated amendment to eliminate provisions related to Transient Residential Uses that are in conflict with Florida Statutes, by amending Section 4.3.3, “Specific Requirements for Specific Uses,” Section 4.4.6, “Medium Density Residential (RM) District,” and Appendix A, “Definitions” of the Land Development Regulations (LDR).
Applicant: City of Delray Beach
Planner: Barbara Pinkston, Senior Planner

Attachments: [Staff Report, Transient Residential Uses](#)
[Ordinance No. 21-26, Transient Residential Uses](#)

Barbara Pinkston, Senior Planner entered File No. PZ-000302-2025 into the record.

Applicant Presentation

Barbara Pinkston, Senior Planner presented an overview and analysis of the request.

Public Comment

None.

Board Comments

Dedrick Straghn clarified that the transient residential use regulations are reverting to in the 2009 regulations. Mr. Bennett said that it is not a strict re-adoption of Ordinance No. 29-09, but the regulations are essentially the same. and the changes that were made after the State preemption are being repealed.

James Chard asked who will be responsible for monitoring turnover. Mr. Bennett said Code Enforcement would be responsible.

MOTION to recommend approval to the City Commission on Ordinance No. 21-26, a City-initiated amendment to LDR Section 4.3.3, “Specific Requirements for Specific Uses,” LDR Section 4.4.6, “Medium Density Residential (RM) District,” and LDR Appendix A, “Definitions”, by finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in Land Development Regulations made by Judy Mollica and seconded by Roger Cope. The motion carried by the following vote:

Yes: 7 - Snyder, Straghn, Katz, Cope, Patton, Chard and Mollica

B. Amendment to the Land Development Regulations, Concrete Products and Manufacturing (File No. PZ-000230-2025): Consider and provide a recommendation on Ordinance No. 20-26, a City-initiated amendment to Section 4.4.19, "Mixed Industrial and Commercial (MIC) District" of the Land Development Regulations (LDR) to establish gunite and other concrete products manufacturing and distribution as a conditional use and to adopt regulations governing the use, and to Section 4.4.20, "Industrial (I) District" to modify the identified types of concrete products for consistency with Section 4.4.19.
Applicant: City of Delray Beach
Planner: Rebekah Dasari, AICP, Principal Planner

Attachments: [Staff Report, Concrete Products Manufacturing and Distribution Uses](#)
[Ordinance No. 20-26, Concrete Products Manufacturing and Distribution Uses](#)
[CBRE Congress Avenue Study \(2023\)](#)

Rebekah Dasari, Principal Planner entered File No. PZ-000230-2025 into the record.

Staff Presentation

Rebekah Dasari, Principal Planner Presented an overview and analysis of the request.

Applicant Presentation

Neil Schiller, Government Law Group, presented on behalf of Calabash Gunite, Inc.

Rebuttal / Cross Examination

Mr. Schiller concurred with the staff presentation except for the proposed distance separation requirement. The Calabash Gunite property is 451.25 feet from another existing concrete plant, and noted that this is not ideal for his client to be required to obtain a waiver.

Ms. Dasari gave clarification that the waiver would be processed with the conditional use request, so there would not be an additional hearing.

Board Comments

Mitch Katz suggested that the separation be reduced to 400' from 1000' so that Calabash Gunite does not have to go through the waiver process.

Price Patton and Judy Mollica agree with Mitch Katz suggestion.

Roger Cope suggested that the separation should be 425'.

James Chard asked how many concrete manufacturers are operating in the city. Ms. Dasari noted that there are three concrete products manufacturing businesses, and showed their location on a map.

MOTION to recommend APPROVAL of Ordinance No. 17-24, a City-initiated amendment to Section 4.4.19, "Mixed Industrial and Commercial (MIC) District" of the Land Development Regulations (LDR) to establish gunitite and other concrete products manufacturing and distribution as a conditional use and to adopt regulations governing the use, and to Section 4.4.20, "Industrial (I) District" to make the identified types of concrete products consistent with LDR Section 4.4.19, by finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in Land Development Regulations made by Mitch Katz and seconded Dedrick Straghn. The motion carried by the following vote:

Yes: 7 - Snyder, Straghn, Katz, Cope, Patton, Chard and Mollica

10. REPORTS AND COMMENTS

A. Staff Comments

Rebekah Dasari, Principal Plannner said the next meetings will be held on March 16, 2026 and April 20, 2026.

B. Board Attorney Comments

Mr. William Bennett, Assistant City Attorney had no comments.

C. Board Comments

James Chard noted his dissatisfaction with the one for one replacement of trees, if a 75-year old tree is replaced with a 5-year old tree.

Mitch Katz concurred.

Ms. Dasari noted to the Board that trees with a 50 percent condition rating or better are required to replace equivalent caliper of tree, whereas trees with a less than 50 percent condition rating are only required to replace on a tree for tree basis, with any tree required to meet the minimum LDR standard.

Mitch Katz made a comment regarding enforcement of the LDRs for projects that come before the Board.

11. ADJOURN

There being no further business to discuss, Gregory Snyder, Chair adjourned the meeting at 8:24pm.

The City shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in and enjoy the benefits of a service, program, or activity conducted by the City. Please contact the Human Resources Department at (561) 243-7125 at least 24 hours prior to the program or activity for the City to reasonably accommodate your request. Adaptive listening devices are available for meetings in the Commission Chambers. If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, such persons will need a record of these proceedings, and for this purpose such persons may need to ensure that a verbatim record of the proceedings is made. Such record includes the testimony and evidence upon which the appeal is to be based. The City does not provide or prepare such record. Two or more City Commissioners may be in attendance.