

**MINUTES
PLANNING AND ZONING BOARD
CITY OF DELRAY BEACH**

MEETING DATE: February 24, 2025

MEETING PLACE: City Commission Chambers

1. CALL TO ORDER

This meeting was called to order by Gregory Snyder, Chair at 5:02 pm.

2. ROLL CALL

A quorum was present at call to order.

Members Present: Gregory Snyder, Chair, Alison Thomas Vice Chair, Mitch Katz 2nd Vice Chair, Chris Brown, Dedrick Straghn, Judy Mollica

Members Absent: Jeffrey Meiselman

Staff Present: Lawonda Warren, Legal Advisor; Rebekah Dasari, Principal Planner; Rafik Ibrahim, Principal Planner; Diane Miller, Board Secretary.

3. APPROVAL OF AGENDA

Motion to APPROVE the agenda of February 24, 2025, meeting was made by Mitch Katz and seconded by Alison Thomas.

MOTION CARRIED 6-0

4. MINUTES

None.

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.

7. PRESENTATIONS

A. Initiation of the City's Annual Infrastructure Improvement Hearing: Review the Capital Improvements Project (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

Rebekah Dasari, Principal Planner, presented the item from a Microsoft PowerPoint presentation.

Public Comment

Rachael McGinn, 236 NE 13th St. Concerned with the construction that is taking place in the city, but the lack of infrastructure. There have been flooding issues over the last 3-5 years on NE 13th Street and asked why flooding is not being addressed in the infrastructure.

Ms. Dasari informed the board that there had been 12 comments received already via email from residents, and they were sent to the board via email.

Board Comment

Ms. Mollica commented that she had gone out to her community asking for input and shared the email that had been distributed throughout the city.

Mr. Straghn- No comment.

Mr. Brown- No comment.

Ms. Thomas- No comment.

Mr. Katz asked if the Barwick Project website was working. He commented that the road will be good when finished.

Mr. Snyder commented that he had three things that came from his neighborhood. One was to make Atlantic Avenue into a pedestrian zone. Second, Lakeview Golf Club is irrigated from reclaimed water, and residents want to know if there was a way to connect to that water line. Last, Waste Management spilled oil on the street in their neighborhood, and the City repaved it to fix the issue, but it is now wearing off and the manhole covers are sinking into the road.

Mr. Katz wanted to add that Lake Ida Road towards Military Trail had some patchwork road repairs, but the road condition was better before the repairs.

8. QUASI-JUDICIAL HEARING ITEMS

A. Spodak Dental Expansion (2024-258): Consideration of a Level 3 Site Plan Application with Landscape Plan and Architectural Elevations for a 2,668 square foot addition to an existing dental office.

Address: 3911 W Atlantic Avenue

PCN: 12-43-46-18-68-000-0010 Applicant / Property Owner: Radiant Enterprises LLC

Agent: Erika Pusillo; erika@spodakdental.com

Planner: Julian Gdaniec, Senior Planner; gdaniecj@mydelraybeach.com

Rafik Ibrahim, Principal Planner, entered File No. 2024-258 Level 3 Site Plan into the record.

Ex parte Communication

Gregory Snyder- Visited site.

Alison Thomas- None.

Judy Mollica- Knows the dental office well.

Mitch Katz- None.

Dedrick Straghn- None.

Chris Brown- None.

Applicant Presentation

Craig Spodak, 2001 NW 4th Ave, Delray Beach FL

Jason Bregman, Singer Studio, Delray Beach FL

Staff Presentation

Rafik Ibrahim, presented the project from a Microsoft PowerPoint presentation.

Public Comments

None.

Rebuttal/Cross Examination

None.

Board Comments

Board discussion about the merits of the proposal and removal of the loading area. Dedrick Straghn asked for clarification of the language in the staff report that the loading area is "Generally in Compliance." .

MOTION

Move to approval of a Level 3 Site Plan Application request for Spodak Dental Expansion, including a Landscape Plan and Architectural Elevations, to construct a 2,668 square foot addition at the subject property addressed as 3911 W Atlantic Avenue, finding that the request is consistent with the Land Development Regulations and the Comprehensive Plan made by Judy Mollica and seconded by Mitch Katz.

MOTION CARRIED 6-0

B. Chewy Vet Care, Conditional Use (2025-095-USE-PZB): Provide a recommendation to the City Commission on Resolution No. 33-25, a Conditional Use request to allow a +/-3,685 square foot veterinary clinic at 1911 South Federal Highway, Units 200, 202, and 204. (PUBLIC HEARING)

Agent: Beth Schrantz and Bonnie Miskel, Esq., Miskel Backman, LLP,
bschrantz@miskelbackman.com

Planner: Alexis Rosenberg, Senior Planner; rosenberga@mydelraybeach.com

Rebekah Dasari, Principal Planner entered File No. 2025-095 into the record.

Ex parte Communication

Alison Thomas- None.
Dedrick Straghn- None.
Judy Mollica- Drove by the site.
Mitch Katz- None.
Gregory Snyder- Visited the site.
Chris Brown-None.

Applicant Presentation

Christina Bilenki, Miskel Backman LLP, 14 S.E 4th Street, Boca Raton, Florida representing the applicant.

Staff Presentation

Alexis Rosenberg, Senior Planner, presented the project from a Microsoft PowerPoint presentation.

Public Comments

None

Rebuttal/Cross Examination

None.

Board Comments

Ms. Molica asked about sound proofing in the building. Scott McDonald, Lead Designer for Chewy, said that the walls in the building are block walls which absorbed most of any noise. The configuration of the interior build-out locates any areas where animals will be treated away from doors.

Alison Thomas is in favor of extending the hours of business, a requested by the applicant.

Greg Snyder asked if the facility handles emergencies. Mr. McDonald responded that the facility handles urgent care but not after hours emergency. Mr. Snyder also noted that he supported the requested extended hours. Also, Mr. Snyder said a solid core door in the back of the building is preferable to the current door to provide additional noise prevention measures. Mr. McDonald said that the existing door can be replaced with a hollow metal insulated door.

MOTION to recommend approval to the City Commission of Resolution No. 33-25, a Conditional Use request for Chewy Vet Care to allow a +/- 3,685 square foot veterinary clinic at 1911 South Federal Highway, Units 200, 202, and 204, finding that the request is consistent with the Land Development Regulations and the Comprehensive Plan, with the condition that a more metal insulated solid cored door in the rear entrance. made by Mitch Katz and second by Judy Mollica.

MOTION CARRIED 6-0

Comprehensive Plan Text Amendment, Commerce Land Use (2025-088): Provide a recommendation to the City Commission on Ordinance No. 05-25, a City-initiated comprehensive plan text amendment to amend Policy NDC 1.4.7 in the Neighborhoods, Districts, and Corridors Element to allow Commerce land use south of Atlantic Avenue. (PUBLIC HEARING)

Applicant: City-initiated request.

Planner: Rebekah Dasari, dasarir@mydelraybeach.com

Staff Presentation

Rebekah Dasari, Principal Planner, entered the project from a Microsoft PowerPoint presentation.

Public Comments

Christina Morrison, 1000 Lowry St Delray Beach. Ms. Morrison stated that the amendment will support industrial uses and spoke in favor of the amendment.

Board Comments

Judy Mollica asked if the requested amendment eliminates the ability to apply Live Local. Ms. Dasari explained that Live Local applies to any property with any industrial or commercial use.

Board discussion; members of the Board expressed support for the amendment.

Move a recommendation to the City Commission of approval of Ordinance No. 05-25, a City initiated amendment to the Always Delray Comprehensive Plan, by adopting a text amendment to Policy NDC 1.4.7 of the Neighborhoods, Districts, and Corridors Element, finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the applicable criteria set forth in the Land Development Regulations made by Judy Mollica and seconded by Alison Thomas

MOTION CARRIED 6-0

D. Amendment to the Land Development Regulations, Adult Entertainment

Establishments (2025-094): Provide a recommendation to the City Commission on Ordinance No. 06-25, a City-initiated amendment to prohibit the location of Adult Entertainment Establishments south of Atlantic Avenue.

Applicant: City-initiated request.

Planner: Rebekah Dasari, dasarir@mydelraybeach.com

Rebekah Dasari, Principal Planner entered the File No. 2025-094 into the record

Staff Presentation

Rebekah Dasari, Principal Planner, entered the project from a Microsoft PowerPoint presentation.

Public Comments

None.

Board Comments

None.

MOTION Recommend approval to the City Commission on Ordinance No. 06-25, a City-initiated amendment to Section 4.4.19, "Mixed Industrial and Commercial (MIC) District" to adopt regulations prohibiting the location of Adult Entertainment Establishments to the south of Atlantic Avenue, 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 Alison Thomas and seconded by Mitch Katz.

MOTION CARRIED 6-0

E. Delray Commerce Centre, Land Use Map Amendment (2025-053) and Rezoning (2025-052): Provide a recommendation to the City Commission on Ordinance No. 02-25, a privately-initiated request for a small scale Land Use Map Amendment (LUMA) from Congress Avenue Mixed Use (CMU) to Commerce (CMR), and Ordinance No. 01-25, a privately initiated rezoning request from Mixed Residential, Office, and Commercial (MROC) to Mixed Industrial and Commercial (MIC) for a 4.27-acre property located at 955 and 975 South Congress Avenue. (PUBLIC HEARING)

Agent: McKenna West, Cotleur & Hearing, mwest@cotleur-hearing.com

Planner: Alexis Rosenberg, Senior Planner; rosenberga@mydelraybeach.com; Alexia Howald; howalda@mydelraybeach.com

Applicant Presentation

McKenna West, Cotleur & Hearing, presented from a Microsoft PowerPoint presentation.

Staff Presentation

Alexis Rosenberg, Senior Planner entered File No. 2025-053 and File No. 2025-052 from a Microsoft Powerpoint presentation.

Public Comments

Christina Morrison, 1000 Lowry St Delray Beach. Ms. Morrison expressed support for the request, because the location of the property is well suited for light industrial uses.

Board Comments

Chris Brown-No Comment

Alison Thomas suggested that at this time we need to rate the mishap that happened several years ago and allow these types of industries next to I95 and railroad tracks.

Greg Snyder commented that he on the Board when the CBRE Congress Avenue study was presented, and noted that the recommendations of the study in support of industrial type uses should have broader application.

MOTION – Land Use Map Amendment

Move a recommendation of approval to the City Commission of Ordinance No. 02-25, a privately-initiated small-scale Land Use Map Amendment from Congress Avenue Mixed Use (CMU) to Commerce (CMR) for a 4.27-acre property located at 955-975 South Congress Avenue, finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the applicable criteria set forth in the Land Development Regulations made by Judy Mollica and seconded by Alison Thomas. Motion Carried 6-0

MOTION – Rezoning

Move a recommendation of approval to the City Commission of Ordinance No. 01-25, a privately-initiated rezoning from Mixed Residential, Office, and Commercial (MROC) to Mixed Industrial and Commercial (MIC) for a 4.27-acre property located at 955- 975 South Congress Avenue, finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the applicable criteria set forth in the Land Development Regulations made by Judy Mollica and seconded by Alison Thomas. Motion Carried 6-0

Meeting Break

6:55 – 7:05pm

9. LEGISLATIVE ITEMS

A. Amendment to the Land Development Regulations, Veterinary Clinics (2025-104):

Provide a recommendation to the City Commission on Ordinance No. 11-25, a City-initiated amendment to establish Veterinary Clinics as a principal use and to eliminate Veterinary Clinics as a conditional use.

Applicant: City-initiated request.

Planner: Rebekah Dasari, dasarir@mydelraybeach.com

Rebekah Dasari, Principal Planner entered File No. 2025-104 and File No. 2025-052 from a Microsoft PowerPoint presentation.

Board Comments

Judy Mollica asked if a veterinary clinic would be prevented from having a boarding element to their services. Ms. Dasari said that any veterinary clinic wanting to add boarding services would have to seek conditional use approval to add the use to their business.

Discussion of whether or not 24-hour veterinary clinics should be required to obtain conditional use approval.

MOTION to recommend approval to the City Commission of Ordinance No. 11-25, on a City-initiated request to amend Land Development Regulations (LDR) Section 4.4.9, "General Commercial (GC)," Section 4.4.11, "Neighborhood Commercial (NC)," Section 4.4.13, "Central Business (CBD) District," Section 4.4.16, "Professional and Office

District (POD)," and Section 4.4.29, "Mixed Residential, Office, and Commercial District (MROC)" to establish veterinary clinics as a principal use instead of a conditional use, so long as they are not a 24/hour veterinary clinic. made by Alison Thomas and seconded by Dedrick Straghn

MOTION CARRIED 6-0

10. REPORTS AND COMMENTS

A. CITY STAFF

The next meeting dates are March 17 and April 21. Judy Mollica said she would be absent at the April meeting.

B. BOARD ATTORNEY

Lawonda Warren encouraged the board to watch the Commission meeting on February 18th for the presentation about Roberts Rules of Order.

C. BOARD MEMBERS

No Comments

11. ADJOURN

There being no further business to come before the Board, the meeting was adjourned at **7:25 pm.**

The undersigned is the Board Secretary of the Planning and Zoning Board, and the information provided herein is the Minutes of the meeting of said body for **February 24, 2025**, which were formally adopted and **APPROVED** by the Board on **June 16, 2025**.

ATTEST:

Juelly Maltica
Vice-Chair

Stacey Miller
Board Secretary

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