

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

**MEETING DATE:** March 17, 2025

**MEETING PLACE:** City Commission Chambers

**1. CALL TO ORDER**

This meeting was called to order by Gregory Snyder, Chair at 5:07 pm.

**2. ROLL CALL**

A quorum was present at call to order.

**Members Present:** Gregory Snyder, Chair; Alison Thomas, Vice Chair; Mitch Katz 2<sup>nd</sup> Vice Chair; Chris Brown; Dedrick Straghn; Judy Mollica; Jeffrey Meiselman.

**Members Absent:** None.

**Staff Present:** Daniela Vega, Staff Assistant City Attorney; Rebekah Dasari, Principal Planner; Rafik Ibrahim, Principal Planner; Alexia Howald, Senior Planner; Alexis Rosenberg, Senior Planner; Julian Gdaniec, Senior 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 7-0**

**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**

None.

## **8. QUASI-JUDICIAL HEARING ITEMS**

**A. STAMM 1201 GEORGE BUSH BLVD (2023-189):** Consideration of and recommendation to the City Commission for the certification of the Final Plat, "Stamm 1201 George Bush Blvd", a replat of Lot 6 and the southerly 54.5 feet of Lot 7, Blues Seas, recorded in Plat Book 23, Page 185, to create three fee-simple lots for a townhouse development at the 0.3975-acre property currently addressed as 1201 George Bush Blvd.

Agent: Neil Schiller, [nschiller@govlawgroup.com](mailto:nschiller@govlawgroup.com)

Planner: Alexia Howald, [howalda@mydelraybeach.com](mailto:howalda@mydelraybeach.com)

Alexia Howald, Senior Planner, entered File No. 2023-189 into the record.

### **Exparte Communication**

Gregory Snyder- Drove by property and spoke with Mr. Schiller.

Alison Thomas- Spoke with Mr. Schiller.

Judy Mollica- Drove by property and received an email from Mr. Schiller.

Mitch Katz- Spoke with Mr. Schiller.

Dedrick Straghn- Drove by property and received an email from Mr. Schiller

Chris Brown- Spoke with Mr. Schiller.

Jeffrey Meiselman- Received an email from Mr. Schiller.

### **Applicant Presentation**

Neil Schiller, 137 NW 1<sup>st</sup> Ave, Delray Beach FL, presented on behalf of the applicant.

### **Staff Presentation**

Alexia Howald, Senior Planner, entered the project from a Microsoft PowerPoint presentation.

### **Public Comments**

None.

### **Rebuttal/Cross Examination**

Mr. Schiller thanked Staff for their assistance.

### **Board Comments**

Mr. Katz asked why the plat comes to a board for a quasi-judicial hearing when the site plan application was approved administratively (appealable by commission).

Ms. Dasari replied this is the current process for approving a plat.

Ms. Thomas commented that this project would be a great addition.

**MOTION** to recommend approval to the City Commission for the certification of the Final Plat, "**Stamm 1201 George Bush Blvd**", associated with the creation of three fee-simple lots, for the property currently addressed as 1201 George Bush Boulevard, finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations made by Judy Mollica and seconded by Allison Thomas.  
**MOTION CARRIED 7-0**

**B. Fifth Avenue Townhomes (2024-055):** Provide a recommendation to the City Commission regarding a Major Subdivision Plat, "Fifth Avenue Townhomes", a replat of portions of Lots 15 and 16, Block 102, Town of Linton, to establish five fee-simple lots affiliated with a previously approved residential townhome development.

Address: 142 and 152 SE 5th Avenue

PCN: 12-43-46-16-01-102-0150 and 12-43-46-16-01-102-0160

Applicant / Property Owner: Fifth Avenue Delray, LLC

Agent: Scott Elk, Scott A Elk, P.A. and Thomas Carney, Jr., Carney Stanton, P.L.

Planner: Alexis Rosenberg, Senior Planner; [rosenberg@mydelraybeach.com](mailto:rosenberg@mydelraybeach.com) and Susana Rodrigues, Senior Planner; [rodrigues@mydelraybeach.com](mailto:rodrigues@mydelraybeach.com)

Alexis Rosenberg, Senior Planner entered File No. 2024-055 into the record.

**Exparte Communication**

Alison Thomas- Familiar with the site.

Dedrick Straghn-Drove by the site.

Judy Mollica- Drove by the site.

Mitch Katz- Spoke with the applicant.

Gregory Snyder- Visited the site.

Chris Brown- None.

Jeffrey Meiselman- None.

**Applicant Presentation**

Tim Webber, Acquest Development, representing the applicant.

**Staff Presentation**

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

**Public Comments**

None.

**Rebuttal/Cross Examination**

None.

**Board Comments**

None.

**MOTION** to recommend **approval** to the City Commission for the certification of the Final Plat, "**Fifth Avenue Townhomes**", associated with the creation of five fee-simple lots for the properties 142 and 152 SE 5th Avenue, finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations. made by Mitch Katz and second by Allison Thomas.

**MOTION CARRIED 7-0**

**C. 1660 South Congress Avenue (2025-064):** Provide a recommendation to the City Commission on Ordinance No. 13-25, a privately initiated rezoning request from Professional Office District (POD) to General Commercial (GC) for a 0.79-acre property located at 1660 South Congress Avenue. (PUBLIC HEARING)

Address: 1660 South Congress Avenue

PCN: 12-43-46-19-36-001-0000

Applicant / Property Owner: Heidi Deux Properties, Inc.

Agent: Neil Schiller, Esq., Government Law Group, nschiller@govlawgroup.com Planner: Alexis Rosenberg, Senior Planner

Alexis Rosenberg, Senior Planner, entered File No. 2025-064 into the record.

**Exparte Communication**

Gregory Snyder- Familiar with and visited the site and spoke with Mr. Schiller.

Alison Thomas- Spoke with Mr. Schiller and is familiar with the site.

Judy Mollica- Visited the site and received an email from Mr. Schiller.

Mitch Katz- Spoke with Mr. Schiller and drives by the site daily.

Dedrick Straghn- Received an email from Mr. Schiller

Chris Brown- Spoke with Mr. Schiller.

Jeffrey Meiselman- None.

**Applicant Presentation**

Neil Schiller, 137 NW 1<sup>st</sup> Ave, Delray Beach FL, presented on behalf of the applicant.

**Staff Presentation**

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

**Public Comments**

Christina Morrison, 1000 Lowery Street, spoke in favor of the rezoning.

**Rebuttal/Cross Examination**

Mr. Schiller thanked City Staff for their work.

**Board Comments**

Ms. Mollica commented that the change to GC fits with the surrounding area.

Mr. Straghn stated he welcomed changes to this site.

Mr. Brown asked Staff what they recommend for the space if it is rezoned.

Ms. Rosenberg referenced a section of her presentation that identified the uses that would be allowed with this zoning.

Ms. Dasari directed the board to consider the many uses allowed within the current and proposed zoning and to make their decision based off that.

Ms. Thomas noted that the property as it currently stands needs to be updated and the rezoning will aid in it being updated.

Mr. Katz added that he has spoken to residents and thinks they might want fast food, but the site needs to change in some way.

Mr. Meiselman noted his favor for this rezoning.

Mr. Brown inquired if fast food is permitted use.

Ms. Rosenberg replied Restaurants are permitted by right.

Mr. Brown asked if there is a way to stop a fast-food establishment.

Ms. Rosenberg replied that only the site plan would come for review.

Mr. Brown expressed his concerns with urban sprawl.

Mr. Snyder spoke in favor of rezoning to General Commercial but noted concerns with traffic, and a tattoo parlor or CBD oil shop (permitted uses in GC zoning).

**MOTION** to recommend approval to the City Commission of Ordinance No. 13-25, a privately-initiated rezoning from Professional Office District (POD) to General Commercial (GC) for the property located at 1660 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 Alison Thomas and seconded by Mitch Katz.

**MOTION CARRIED 6-1**

**Dissenting Chris Brown**

**D. 102 SE 5th Avenue (2024-170):** Consideration of a Level 3 Site Plan Application with Landscape Plan and Architectural Elevations for a four-story, 8-unit multi-family residential development.

Address: 102 SE 5th Avenue

PCN: 12-43-46-16-01-102-0110

Applicant / Property Owner: Mugdock Development LLC / 4TRO PROPCO LLC

Agent: Jeffrey A. Costello, jcostello@jcplanningsolutions.com

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

Julian Gdaniec, Senior Planner, entered File No. 2024-170 into the record.

**Exparte Communication**

Gregory Snyder- Spoke with Mr. Costello and visited the site.

Alison Thomas- Familiar with the site and spoke with Mr. Costello.

Judy Mollica- Familiar with the site and received an email from Mr. Costello.

Mitch Katz- Spoke with Mr. Costello.

Dedrick Straghn- Visited the site and spoke with Mr. Costello.

Chris Brown- Spoke with Mr. Costello.

Jeffrey Meiselman- None.



**Applicant Presentation**

Jeffrey Costello, 981 Delray Lakes Dr, presented on behalf of the applicant.

**Staff Presentation**

Julian Gdaniec, Senior Planner, entered the project from a Microsoft PowerPoint presentation.

**Public Comments**

None.

**Rebuttal/Cross Examination**

Jeffrey Costello thanked staff and reiterated that he believes the project meets the standards.

**Board Comments**

Mr. Meiselman asked if the automotive history of this area is a concern.

Mr. Costello added the owner had done an environmental analysis and reports came back clean.

Mr. Katz noted that the massing of building is acceptable, but because of the number of units, he expressed concerns regarding parking and deliveries.

Ms. Thomas raised concerns regarding the alleyway and stated dissatisfaction with building to maximum height and density.

Mr. Brown spoke in favor of the project.

Mr. Straghn asked if the loading zone could be accommodated by removing 2 of the parking spaces located in the garage.

Mr. Gdaniec clarified that the applicant is supplying 20 parking spaces but only required to supply 18; the two excess spaces would not be large enough for a loading zone,.

Staff's direction to remove 2 spaces in the garage is to allow a walkway into the building to bring in large objects.

Mr. Straghn asked what the impact would be of removing the 2 spaces.

Mr. Costello explained that each resident has dedicated spaces, and their intent is to provide as much parking as possible.

Ms. Mollica inquired if the trash staging area could be made bigger.

Ms. Costello replied that the walkway and landscaping design would make it difficult to expand.

Mr. Snyder expressed concerns regarding the alleyway and noted that it is the only access to neighboring businesses.

The Board discussed removing 2 parking spaces in the garage, design features, and setbacks.

**MOTION** for approval of a Level 3 Site Plan Application request for 102 SE 5th Avenue, including Architectural Elevations and a Landscape Plan, to construct a four-story, 8-unit residential development, 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 7-0**

## **9. LEGISLATIVE ITEMS**

None.

## **10. REPORTS AND COMMENTS**

### **A. CITY STAFF**

The next meeting dates are April 21, 2025 and May 19, 2025. Ms. Dasari welcomed the Board Attorney Daniela Vega to the role.

### **B. BOARD ATTORNEY**

Ms. Vega thanked the board and stated she is available to speak with Board members before meetings, if needed.

### **C. BOARD MEMBERS**

Mr. Katz inquired if plats can be an administrative action after if it implements an approved site plan.

Ms. Dasari noted that Staff would have to look at changing the process.

Mr. Snyder noted there should be a way to combine the plat with the site plan and expressed satisfaction with seeing the TAC timelines in the Staff Report.

## **11. ADJOURN**

There being no further business to come before the Board, the meeting was adjourned at **7:30 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 **March 17, 2025**, which were formally adopted and APPROVED by the Board on\_\_\_\_\_.

**ATTEST:**

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**Chair**

  

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**Board Secretary**

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