

**MINUTES
HISTORIC PRESERVATION BOARD
CITY OF DELRAY BEACH**

MEETING DATE: December 4, 2024

MEETING PLACE: City Commission Chambers

1. CALL TO ORDER

The meeting was called to order by Jim Chard, Chair, at 5:03pm.

2. ROLL CALL

A quorum was present.

Members present Jim Chard, Chair; John Miller, Vice Chair; Chris Cabezas, 2nd Vice Chair; Peter Dwyer; Vlad Dumitrescu; Ezra Krieg; and Carol Perez

Absent None

Staff present William Bennet, Assistant City Attorney; Amy Alvarez, Assistant Development Service Director; Katherina Paliwoda, Planner; Michelle Hewett, Planner; and Diane Miller, Board Secretary.

3. APPROVAL OF AGENDA

Motion to APPROVE the agenda for December 4, 2024, made by John Miller and seconded by Chris Cabezas

MOTION CARRIED 7-0

4. MINUTES

Motion to APPROVE June 5, 2024, and July 3, 2024, minutes were made by Chris Cabezas and seconded by John Miller.

MOTION CARRIED 7-0

5. SWEARING IN OF THE PUBLIC

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

6. COMMENTS FROM THE PUBLIC

None

7. PRESENTATIONS

None

8. QUASI-LEGISLATIVE ITEMS - CITY INITIATED

A. Certificate of Appropriateness and Amendment to the Master Sign Program (2025-026): Consideration of an after-the fact Certificate of Appropriateness and amendment to the existing Master Sign Program associated with the installation of a wall sign.

Address: 10 SE 1st Avenue, Old School Square Historic District

Owner: Jetport LLC; comptroller@zonelaw.com

Applicant: Delray Orthodontics; cwittke@mb2dental.com

Planner: Michelle Hewett; hewettm@mydelraybeach.com

Michelle Hewett, Planner, entered file 2025-026 into the record.

Exparte

Carol Perez - None

John Miller - None

Peter Dwyer - None

Chris Cabezas - None

Vlad Dumitrescu - None

Jim Chard - None

Ezra Krieg – None

Applicant

Jennifer Gadetti, Director of Operations for Delray Orthodontics and Dr. Janet Stoess-Allen, Owner of Delray Orthodontics; 10 SE 1st Ave, Delray Beach, FL, provided a presentation to the board.

Staff Presentation

Michelle Hewett, Planner, presented through a Microsoft Power Point presentation

Public Comment

None

Rebuttal/Cross

None

Board Comments

Mr. Miller, Ms. Perez, Mr. Dumitrescu, and Mr. Cabezas discussed the design of the sign, including the backplate, lighting, size and positioning on the building. The board also asked the applicant if the sign could be modified now that it is also in place. The board expressed concern with the sign being installed without a permit and asked the applicant how the sign contractor didn't know they needed a permit for the sign. The applicant indicated that the sign would not be internally lit, and that they would have the sign fabricator remove the lights from the sign to prevent it from lighting up. The applicant also noted that if the box style was not to be approved, the sign would have to be recreated. They were not sure how the how or why the contractor installed the sign without a permit. Mr. Cabezas asked staff if the box sign was to be approved, would it be part of the master

sign list for that building. Ms. Hewett responded that it would be put on the list for that building if approved.

Mr. Bennett informed the board that even if something has been done before approval, the land development regulations make no distinction or exceptions to something that has already been done. The board should focus on the LDR and what is acceptable and if the sign meets the criteria.

Mr. Chard also inquired about the master sign program. Mr. Chard requested that the electrical internal part of the sign be removed so that the light of the sign cannot operate, if it was to be approved.

Mr. Chard inquired about the window signage asking if it was advertising or decorative. Ms. Alvarez said that there are certain signs that do not require a permit, window signs are one of them but that such signs must comply with a maximum square footage.

Ms. Alvarez informed the board that if there was a continuation of this project, staff could complete research to provide additional information providing a comparison to what was being proposed. It could be ready for the February meeting.

Ms. Gadetti said that they will speak to the sign company and provide revisions. She also asked about moving the existing lights down or putting the sign in the blue feature in the building.

MOTION to continue the Certificate of Appropriateness and Amendment to the Master Sign Program (2025-026), for the property located at 10 SE 1st Avenue, Old School Square Historic District with the direction that the applicant explore additional design options as discussed by the board and to allow staff and the applicant to explore more options and recover additional information that may not have been presented during the meeting. No date certain was made by John Miller and seconded by Chris Cabezas.

MOTION CARRIED 7-0

9. LEGISLATIVE ITEMS - CITY INITIATED

A. Amendment to the Land Development Regulations, Private Parking Lot Signage (2023-116): Provide a recommendation to the Planning and Zoning Board on Ordinance No. 19-24, a City-initiated amendment to LDR Section 4.3.3, "Special requirements for specific uses" of the Land Development Regulations (LDR) to adopt regulations for private parking lots and garages.

Applicant: City-initiated request.

Planner: Rebekah Dasari, dasarir@mydelraybeach.com

Amy Alvarez, Assistant Development Service Director, entered file (2023-116) into record.

Board Comments

Mr. Cabezas asked if the price for parking will be standard across the parking lots. Mr. Cabezas and Mr. Miller asked if the signage would be standardized for any private parking lot, specifying that a lot was not a city owned lot. Mr. Cabezas also asked if towing regulations for the parking lots could be included.

Mr. Miller said that the property owner cannot give official parking tickets, but they send invoices or bills to the vehicle owner.

Mr. Chard noted that the city should look at regulating the predatory practices that private property owners are instituting. He also noted that he would like to see design consistency so signs would not contribute to ongoing signage pollution.

Ms. Perez thought that painting the wheel stops would add to sign pollution.

The board suggested that sign design be differentiated between private and public lots rather than regulating the sign design for historic districts and that there be consistency in the design of signs for privately owned public lots.

Mr. Bennet advised that the board's concerns would be looked at by staff, but there may likely be limitations per the Florida Statute on what can be regulated for private parking, such as limitations on the methods for payment, enforcement, etc.

Ms. Alvarez replied that private parking lot owners can charge what they want. Ms. Alvarez advised that the signs could include penalty information. Ms. Alvarez replied that signs in historic districts could be more decorative to be compatible with architectural styles and advised that sign design may not need to be standardized. Katherina Paliwoda added that the Historic Preservation Design Guidelines could aid with sign design. Ms. Alvarez advised that staff can review private parking lot signage and approve it administratively unless there is an issue, then it would go to the board.

MOTION to move a recommendation to Planning and Zoning Board of Ordinance No. 19-24, amending LDR Section 4.3.3, "Special requirements for specific uses" of the Land Development Regulations (LDR) to adopt Subsection (PP), "Private parking lots and garages," with regulations governing such use, 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 with the additional intention of creating consistency within signage in historic districts for private parking lots made by John Miller and seconded by Chris Cabezas.

MOTION CARRIED 7-0

10. REPORTS AND COMMENTS

A. Staff Comments

Ms. Paliwoda informed the board of the next meeting which will be the third Wednesday of the month on January 15th, 2025, due to the New Year's Day holiday.

Ms. Alvarez informed the board of the second reading of the In-Lieu of Parking ordinance which is scheduled for review by the City Commission at their December 10, 2025 meeting. Regarding the board's previous comment regarding the 750 feet pedestrian route, the proposed ordinance has been revised to include a pedestrian route of 1,320 feet. The ordinance also includes limitations on the use of In-Lieu of parking relating to projects that propose demolition or and parameters for projects that involve preservation of a structure.

Ms. Alvarez also updated the board about the Landscaping and the Natural Environment memorandum that were discussed in October. The memo is to be circulated to the City Commission by the City Manager in the coming week. Staff also has been doing research to get the plant list finalized to put on the website.

B. Board Comments

Mr. Miller spoke about the property that is on the corner of 2nd and 4th, Alice Beck's property. Mr. Miller could not remember the property address. The board had denied the property 2 years ago, and he is inquiring how the property got a Certificate of Occupancy and is being occupied/rented. Mr. Miller and Mr. Dwyer would like to have it discussed at the next meeting.

Mr. Chard welcomed Ezra Krieg to the board as a new member. Mr. Krieg expressed that he appreciated the opportunity, and to bring his perspective relating to affordable housing as he serves as the chairman of Palm Beach County's Affordable Housing Commission.

C. Attorney Comments

None

11. ADJOURN

There being no further business to come before the Board, the meeting was adjourned at 6:41pm.

The undersigned is the Secretary of the Historic Preservation Board, and the information provided herein is the Minutes of the meeting of said body for **December 4, 2024**, which were formally adopted and **APPROVED** by the Board on _____.

ATTEST:

CHAIR

BOARD SECRETARY

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