

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

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www.delraybeachfl.gov



Minutes - Draft

Monday, March 9, 2026

5:00 PM

Regular Meeting at 5:00 PM

Delray Beach City Hall or Watch on YouTube:
<https://www.youtube.com/@cityofdelraybeachfl/streams>

City Commission

Mayor Thomas F. Carney, Jr.
Deputy Vice Mayor Angela Burns
Commissioner Tom Markert
Commissioner Juli Casale

1. ROLL CALL

The March 9, 2026 Regular City Commission Meeting was called to order at 5:03 p.m. Alexis Givings, City Clerk, called the roll, and the following were present:

Terrence Moore, City Manager
Lynn Gelin, City Attorney
Alexis Givings, City Clerk

Present: 4 - Commissioner Tom Markert , Mayor Thomas F. Carney Jr., Deputy Vice Mayor Angela Burns, and Commissioner Juli Casale

2. PLEDGE OF ALLEGIANCE TO THE FLAG

At this time, Commissioner Markert criticized a candidate-paid Mayor's endorsement newsletter for containing false claims about taxes, qualifications, budget matters, and other Commissioners.

Commissioner Casale called the letter dishonest.

Mayor Carney emphasized maintaining civility, facilitating the meeting, and allowed further comments only at the end.

3. AGENDA APPROVAL

3.A. Additions, Deletions, Substitutions

Mr. Moore requested that Consent Item No. 6.H.3. be moved to the Presentation section of the agenda. It became Item No. 4.A.

Mayor Carney requested that Consent Item No. 6.B. be pulled for discussion. It became Item No. 7.A.A. on the Regular Agenda.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to approve the Agenda as amended.

all were in favor

4. PRESENTATIONS:

4.A. None

5. COMMENTS AND INQUIRIES ON AGENDA AND NON-AGENDA ITEMS FROM THE PUBLIC- IMMEDIATELY FOLLOWING PRESENTATIONS:

5.A. City Manager's response to inquiries and highlights

5.A.1. CLARITY REGARDING INVOICES FOR SPECIAL EVENTS.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

Mr. Moore addressed concerns about unpaid or outstanding fees for community special events. He explained that 2023-2024 fiscal year policy changes removed the City Manager's authority to waive fees. He indicated he plans to return to the City Commission to discuss solutions. He noted the issue includes recent and pre-existing cases. He also shared that he had met with community representatives and intends to provide updates and a path forward.

5.A.2.

CONSULTATION SERVICES FOR ECONOMIC DEVELOPMENT SYNERGY.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

Mr. Moore provided an update on Economic Development efforts following the February 3rd Workshop. He explained that, beyond identifying available land, the City must develop a broader strategy and marketing plan to attract investment, which may involve hiring external consultants. He indicated that staff had begun reviewing firms and was prepared to move forward using available funding.

Commissioner Casale stating that the Commission had previously directed staff to first provide data on available properties before pursuing marketing services. She expressed concern that staff was moving ahead without providing this information or involving key partners such as the Downtown Development Authority and the Chambers of Commerce. She requested a workshop with complete backup materials before any contracts are executed.

Assistant City Manager, Jeff Oris, acknowledged that the requested property data had not been included in the agenda backup but stated that a list had been obtained through other sources.

Mr. Moore responded that the process is ongoing and that external partners would be included, emphasizing that the discussion was intended as an update rather than a request for immediate action. Mayor Carney supported moving forward with engaging consultants, citing the need to begin marketing the City.

Deputy Vice Mayor Burns indicated that staff was generally following prior direction but agreed that the missing data was important. Commissioner Markert supported holding a workshop due to the significance of the issue.

The City Manager agreed to schedule a workshop in early April, provide the requested background information in advance, and incorporate stakeholders' input. He stated that while contracts fall within his administrative authority, he would delay proceeding until after the workshop discussion to ensure alignment with the Commission.

5.B. From the Public

Mariska Gato, 33484

Highlighted a successful multicultural youth festival hosted at the Cornell Art Museum, emphasized its community impact and city leadership participation. Promoted the upcoming "Art on the Square" event, encouraging public attendance and continued support for arts programming.

Paul Cannon, 33483

Spoke about economic development and urged the City to establish an economic development board. Referenced a local publication's commentary on the Mayor's political endorsement, expressing concern about elected officials influencing voters.

Marjorie Waldo 33444, Arts Garage

Addressed the City's funding and grant processes, requesting a clear, written timeline for funding decisions. Suggested establishing consistent performance metrics and involving cultural leaders and the CRA in developing evaluation criteria. Shared updates on Arts Garage programming, including senior and family outreach initiatives and volunteer engagement.

Andrea Bruton, 33445

Spoke in support of the "Let's Move" initiative, reiterating the importance of promoting physical activity and encouraging residents to participate for both competition and overall community health benefits.

Olivier Verdier, 33444

Raised concerns about recurring monthly events at a yoga studio on Seacrest Boulevard. Reported excessive noise from amplified music and widespread parking problems in the surrounding residential neighborhood. Requested that the City enforce existing regulations to protect residents from ongoing disturbances.

Patrick Lamb, 33480

Discussed the economic and cultural importance of arts and music in Delray Beach. Explained how live music and events increase tourism, support local businesses, create jobs across multiple industries, and enhance the city's identity. Emphasized that a vibrant arts scene contributes to both economic growth and quality of life.

Pamela Williams, 33444

Thanked City staff for addressing a problematic property but raised concerns about ongoing issues at a nearby site, including overgrown conditions, potential illegal occupancy, and safety hazards. Emphasized the impact on nearby residents, especially children walking to school, and requested further enforcement and follow-up regarding both properties. Called for consistent application of property maintenance standards across all addresses.

Elizabeth Shera, 33483

Described ongoing disputes with a neighboring property owner involving complaints and harassment. Raised concerns about noise, inappropriate uses of nearby property, and general neighborhood disturbances. Emphasized the importance of fairness and urged the City to address the situation.

Seeing no one else present, Mayor Carney closed public comments.

6. CONSENT AGENDA: City Manager Recommends Approval

The Consent Agenda was approved as amended

all were in favor

6.A. CITY COMMISSION MEETING MINUTES

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[January 20, 2026 Regular Meeting Minutes - DRAFT.pdf](#)

[January 22, 2026 Joint Workshop with the City Commission and DDA Meeting Minutes - DRAFT.pdf](#)

[February 18, 2026 Special Meeting Minutes - DRAFT.pdf](#)

The Minutes were approved.

6.B. RESOLUTION NO. 63-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ESTABLISHING A DOWNTOWN BEAUTIFICATION TASK FORCE TO REVIEW THE

APPEARANCE OF AND RECOMMEND POTENTIAL IMPROVEMENTS TO THE DOWNTOWN STREETSCAPES; PROVIDING AN EFFECTIVE DATE.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

[Resolution 63-26 Establishment of Downtown Beautification Task Force](#)
[LRC Reso for downtown task force](#)

This item was pulled from the Consent Agenda and became Item No. 7.A.A. on the Regular Agenda.

Mayor Carney referred to an email he sent colleagues about the Task Force. He noted he had spoken to some communities about what they want to do and he mentioned that the DDA discussed it that day. He pulled it from the Consent Agenda because it should have been a discussion item.

Commissioner Casale questioned whether action should be taken, noting the item was meant to be a collaboration with the DDA, but the agenda's seven-person Task Force recommendation did not reflect the January 22nd meeting consensus. She noted that more downtown individuals should be involved to ensure broader representation and effective collaboration.

There was consensus among the Commission to table this item to allow members to identify suitable individuals for the Task Force.

- 6.C.** ITEM(S) 1 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 333 NW 3RD AVE.
ITEM(S) 2 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 137 COCONUT RD.
ITEM(S) 3 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 329 NW 3RD AVE.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)

[1a - Right of Way Deed - 333 NW 3rd Ave - Oceans Eleven LLC](#)

[1b - Legal Review Right of Way Deed - 333 NW 3rd Ave - Oceans Eleven LLC](#)

[2a - Right of Way Deed- 137 Coconut Rd - Todd M. Wilson](#)

[2b - Legal Review Right of Way Deed- 137 Coconut Rd - Todd M. Wilson](#)

[3a - Right of Way Deed - 329 NW 3rd Ave - Cuervo Gold Farms LLC](#)

[3b - Legal Review Right of Way Deed - 329 NW 3rd Ave - Cuervo Gold Farms LLC](#)

This Request was approved.

6.D. ITEM(S) A1: CONSIDERATION OF A MAINTENANCE OF TRAFFIC PLAN/ROAD CLOSURE PLAN FOR LINDELL BOULEVARD BETWEEN BOBOLINK ROAD AND ALBATROSS ROAD AND ITEM(S) A2: CONSIDERATION OF A MAINTENANCE OF TRAFFIC PLAN/ROAD CLOSURE PLAN FOR LINDELL BOULEVARD BETWEEN CURLEW ROAD AND BOBOLINK ROAD

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[MOT Lindell Road Closure](#)

This Request was approved.

6.E. APPROVAL OF A LICENSE AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF DELRAY BEACH TO ALLOW THE CITY TO UTILIZE COUNTY OWNED PARKING FACILITIES AT THE SOUTH COUNTY COURTHOUSE DURING SPECIAL EVENTS

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[License Agreement with PBC Courthouse Parking Garage for Special Events 2026](#)
[Legal Review License Agreement with PBC - Courthouse Parking Garage for Special Events 2026](#)

This Request was approved.

6.F. HOLD HARMLESS AGREEMENT FOR 777 E ATLANTIC AVE

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[Hold Harmless Agreement 777 East Atlantic](#)
[Legal Review 777 East Atlantic Ave](#)

This Request was approved.

6.G.

ACCEPTANCE OF THE FOLLOWING AGREEMENTS:

ITEM A1 - ACCEPTANCE OF A WATER AND SEWER UTILITY AGREEMENT, FOR PROPERTY LOCATED AT 3900 SHERWOOD BLVD, DELRAY BEACH, ALSO KNOWN AS LAYTON POINTE, PROPERTY CONTROL NO. (PCN) 12-42-46-24-02-007-0071, OWNED BY TOLL SOUTHEAST LP COMPANY, INC.

ITEM A2 - ACCEPTANCE OF BILL OF SALE FOR IMPROVEMENTS AGREEMENT, FOR PROPERTY LOCATED AT 3900 SHERWOOD BLVD, DELRAY BEACH, ALSO KNOWN AS LAYTON POINTE, PROPERTY CONTROL NO. (PCN) 12-42-46-24-02-007-0071, OWNED BY TOLL SOUTHEAST LP COMPANY, INC.

ITEM A3 - ACCEPTANCE OF A WATER AND SEWER EASEMENT AGREEMENT FOR PROPERTY LOCATED AT 3902 SHERWOOD BLVD, DELRAY BEACH, PROPERTY CONTROL NO. (PCN) 12-42-46-24-00-000-5050 FOR THE EASEMENT AREA, OWNED BY THE DIOCESE OF PALM BEACH.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[Water & Sewer Easement -3900 Sherwood Blvd](#)
[Legal Review 3900 Sherwood Blvd Water & Sewer Easement Agreement](#)
[Bill of Sale-3900 Sherwood Blvd](#)
[Legal Review 3900 Sherwood Blvd Bill of Sale Agreement](#)
[Water and Sewer Utility Easement Agreement - 3902 Sherwood - Diocese of Palm Beach](#)
[Legal Review Water and Sewer Easement Agreement - 3902 Sherwood -Diocese of Palm Beach](#)

This Request was approved.

6.H. PROCLAMATIONS:

6.H.1.

PROCLAMATION - ALL PEOPLE'S DAY

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Proclamation - All People Day](#)

This Proclamation was approved.

6.H.2. PROCLAMATION - VIETNAM VETERANS' DAY

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Proclamation - Vietnamese Veterans Day](#)

This Proclamation was approved.

6.H.3. PROCLAMATION - LET'S MOVE DELRAY

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Proclamation - Let's Move](#)

Mr. Moore requested that Consent Item No. 6.H.3. be moved to the Presentation section of the agenda. It became Item No. 4.A.

This Proclamation was approved.

6.H.4. PROCLAMATION - DESIGNATING THE MONTH OF MARCH AS FLORIDA BIKE MONTH IN DELRAY BEACH

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[2026 FL Bicycle Month Proclamation_DB](#)

This Proclamation was approved.

6.H.5. PROCLAMATION - FLORIDA GOVERNMENT FINANCE PROFESSIONAL'S WEEK

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Florida Government Finance Professionals Week Proclamation March 2026](#)

This Proclamation was approved.

6.H.6. PROCLAMATION - COMMEMORATE THE 100TH ANNIVERSARY OF THE AMERICAN SHORE & BEACH PRESERVATION ASSOCIATION

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[ASBPA 100 Proclamation_DB](#)

This Proclamation was approved.

6.H.7. PROCLAMATION - PROCUREMENT MONTH: DRIVING INNOVATION AND PUBLIC TRUST

Sponsors: Purchasing Department

Attachments: [Agenda Cover Report](#)
[March 2026 Procurement Month Proclamation](#)

This Proclamation was approved.

6.I. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:

6.I.1. None

6.J. AWARD OF BIDS AND CONTRACTS:

6.J.1. APPROVAL OF RESOLUTION NO. 50-26 TO AWARD AN AGREEMENT TO CDW GOVERNMENT LLC FOR PURCHASE OF INFORMATION TECHNOLOGY SOLUTIONS, PRODUCTS, AND SERVICES; UTILIZING CITY OF MESA, ARIZONA SOLICITATION NO. 2024056 EIGHT (8) YEAR CONTRACT TERM IN THE ESTIMATED AMOUNT OF \$4,400,000

Sponsors: Police Department, Purchasing Department and IT Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist_CDW Government LLC 2.11.26](#)
[P2026-013 IT Solutions Products and Services](#)
[Resolution 50-26 clean copy](#)
[Pricing Exhibit A](#)
[EXHIBIT B Insurance](#)
[Original Solicitation 2024056](#)
[Vendor Signed P2026-013](#)

This Resolution was approved.

6.J.2. APPROVAL OF RESOLUTION NO. 36-26 TO ISSUE A PURCHASE ORDER TO CMJ EMERGENCY LIGHTING SOUTH LLC FOR THE PURCHASE OF EMERGENCY LIGHTING AND ACCESSORIES UTILIZING THE FLORIDA SHERIFF'S ASSOCIATION (FSA) CONTRACT

NO. FSA-HCS-ESA2.0 IN THE AMOUNT OF \$531,201.14

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)

[Reso. No. 36-26](#)

[Exhibit A](#)

[Exhibit B](#)

[Legal Review](#)

[City Condition of Purchase](#)

[ITB 2024-025 HCSO](#)

[Contract FSA-HCS-ESA2.0](#)

This Resolution was approved.

7. REGULAR AGENDA:

7.A. RESOLUTION NO. 55-26 AMENDING THE FISCAL YEAR 2025-26 BUDGET ADOPTED BY RESOLUTION NO.198-25 ON SEPTEMBER 15, 2025.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)

[Resolution 55-26](#)

[Exhibit A 55-26 with backup Rev](#)

[Simple Legal Review Approval budget amendment 55-26](#)

Ms. Gelin read Resolution No. 55-26 into the record.

CFO Henry Dachowitz reported several budget amendments: Parks and Recreation, \$10,000 expense increased to other current charges and a transfer from the beautification trust fund for record storage; Parks and Recreation, \$7,780 expense transfer to cover reclassification of a capital purchase at the Tennis Center. Public Works, \$15,000 expense transfer from Building Maintenance to Other Repair Maintenance for three pedestrian light poles and fixtures for the beach promenade. Water and Sewer Fund, Water Treatment and Storage, \$15,600 expense transfer from Regular Salaries to a special pay line to cover a deficit in the Q1 2026 Budget Variance report.

A motion was made by Commissioner Casale, seconded by Commissioner Markert, that Resolution No. 55-26 be approved.

all were in favor

7.B. RESOLUTION NO. 61-26: A RESOLUTION OF THE CITY COMMISSION

OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING AN IMPACT EVENT KNOWN AS THE EASTER SUNRISE SERVICE TO BE HELD APRIL 5, 2026; AUTHORIZING THE CLOSURE OF A1A FROM ATLANTIC AVENUE TO MIRAMAR DRIVE AS MORE SPECIFICALLY DESCRIBED HEREIN; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[Easter Sunrise Service App](#)
[Site Map Easter Service](#)
[Impact Event Resolution Easter Sunrise Service](#)
[Simple Legal Review Approval- Dani](#)

Ms. Gelin read Resolution No. 61-26 into the record.

Mayor Carney emphasized the importance of submitting applications on time. Commissioner Markert raised concerns regarding security if submissions are delayed.

A motion was made by Commissioner Casale, seconded by Commissioner Markert, that Resolution No. 61-26 be approved.

all were in favor

7.C.

RESOLUTION NO. 64-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REQUIRING ADDITIONAL OFF-STREET PARKING SPACES FOR THE PROPERTY LOCATED AT 302 NE 6TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO SECTION 4.6.9 OF THE LAND DEVELOPMENT REGULATIONS; REQUIRING 44 SPACES BASED ON THE USE OF THE PROPERTY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL)

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 64-26 assessing addl off-street parking](#)
[Res. No 53-26](#)
[Composite Exhibit A](#)
[Approved Application](#)
[Letter dated February 26, 2026 to Mr. Rodney Mayo re Notice of Hearing](#)
[Subculture Amended Zoning Certificate of Use \(002\) Life Safety Plan](#)
[LRC Reso 64-26](#)

Alexis Givings, City Clerk, swore in those individuals who wished to provide testimony on this item.

Mayor Carney read the quasi-judicial rules into the record.

Mayor Carney asked his colleagues to disclose any ex-parte communications.

Mayor Carney: What ever is on the City's server.

Vice Mayor Burns: Spoke with Daniel Rose and what ever is on the City's server.

Commissioner Markert: Spoke with Daniel Rose.

Commissioner Casale: None.

City Attorney, Lynn Gelin, explained that this is City initiated, so staff will present first. Typically, applicants go first and carry the burden of proof. She read the resolution into the record.

Anthea Gianniotis, Development Services Director, read File No. 2023-073 into the record, which is the original in-lieu parking request. She stated the property was approved as a restaurant and maintains that use, but its functional use has shifted toward assembly or meeting space, raising parking concerns. Resolution 62-23 granted five in-lieu parking spaces for the designated restaurant use, noting most customers stay under 15 minutes for grab and go coffee. Since 2023, there have been concerns about property function, code violations, including use violations, an insufficient life safety plan, and a stage shown on the floor plan but not the life safety plan, unapproved special events, traffic impacts to the surrounding area, and parking impacts to the surrounding community.

She explained the parking requirements for the Subculture location, noting that the current parking arrangement is non-conforming. The property requires thirteen parking spaces, with five in-lieu. If it were reviewed a place of assembly, it would have required forty-four spaces. The use of the property is questioned, with Ms. Gianniotis clarifying that the zoning

maintains its approval as a restaurant and the extra uses are not approved. She added the Commission must determine whether the use has expanded or changed in a way that requires additional parking spaces.

John McClary, attorney for Mr. Mayo, requested a continuance, having recently been retained to represent Mr. Mayo. The Commission approved a continuance for a Special Meeting scheduled for March 31, 2026 at 4:00 p.m.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to postpone Resolution No. 64-26 until March 31st at 4:00 p.m.

all were in favor

7.D.

RESOLUTION NO. 56-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A LEVEL 4 SITE PLAN, ARCHITECTURAL ELEVATIONS, LANDSCAPE PLAN AND WAIVER REQUEST TO SECTION 4.4.13(D)(2)(a)3.a. OF THE LAND DEVELOPMENT REGULATIONS TO REDUCE THE 20-FOOT FRONT SETBACK DEPTH ABOVE THE THIRD STORY TO 17 FEET, 11 INCHES FOR THE PROJECT LOCATED AT 398 NE 6TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Res. No. 56-26 398 NE 5th AVE](#)
[PZB Staff Report 398 NE 6th AVE](#)
[Waiver Request Letter](#)
[Loading Demand Statement](#)
[Site Plan](#)
[Survey](#)
[Architecture Plan Set](#)
[Engineering Plan Set](#)
[Landscape Plan Set](#)
[Composite Plan](#)
[Irrigation Plan](#)
[Waste Mangement Email](#)
[WMC Report DSS](#)
[FDOT Letter](#)
[MOT Plan](#)
[SCAD Letter](#)
[TPS Letter](#)
[Legal Review Res 56-26 Level 4 Site Plan with Waiver - 398 NE 6th Ave](#)

Ms. Gelin read Resolution No. 56-26 into the record.

Mayor Carney asked those wishing to speak on this item to be sworn in by the Clerk. Alexis Givings, City Clerk, swore in those individuals who wished to provide testimony.

Mayor Carney read the quasi-judicial rules into the record and asked his colleagues to disclose any ex-parte communications.

Mayor Carney: None.

Vice Mayor Burns: None.

Commissioner Markert: None.

Commissioner Casale: None.

Anthea Gianniotis, Development Services Director, entered File No. 2025-082 into the record.

Bradley Miller from Urban Design Studio, representing the applicant, stated the existing 1949 building has back-out parking onto 4th and 6th. The proposal, approved in Art Deco style by the Planning and Zoning Board, includes eight residential condo units over four stories, just under 1,200 sq. ft. of commercial space, and 20 total parking spaces with tandem resident

parking and alley access. A pull-off/loading area was expanded to 5x30 feet for deliveries, maintaining alley clearance. Floor plans include retail, lobby, bike and personal storage, two-bedroom units, and two three-bedroom units with balconies, terraces, and rooftop pool.

The key Art Deco feature (a finial/tower element) encroaches slightly into the setback at 17'11" versus the 20' requirement, separating terraces and adding style. The corner clip dedication maintains paved area and design integrity. The team is ready for construction.

Ms. Gianniotis mentioned questions that arose from the Palm Trail neighborhood about height. She explained that downtown allows four stories up to 54 feet, measured to the eave of a pitched roof or top of a flat roof; this project's flat roof is 49 feet. Downtown encourages amenities and landscaping to reduce urban heat, with air-conditioned fifth-story access allowed up to 25% of the roof. She stated the project meets code for height, design, and site plan criteria, including landscaping, pedestrian paths, and a mix of housing types. The Planning and Zoning Board recommended approval 6-1, and praised the Art Deco architecture and responsiveness to input.

Mayor Carney opened the meeting to public comments. Seeing no one present, public comments was closed. There was no rebuttal or cross-examination.

The Commission discussed the corner clip dedication for public safety, which avoids a setback problem. Tandem parking for residential units was also discussed. Overall, the project was considered manageable in terms of parking, loading, and urban design.

A motion was made by Deputy Vice Mayor Burns, seconded by Commissioner Markert, that Resolution No. 56-26 be approved. The motion carried by the following vote:

Yes: 4 - Commissioner Markert, Mayor Carney Jr., Deputy Vice Mayor Burns, and Commissioner Casale

7.E.

RESOLUTION NO. 22-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, FINDING THAT A BUILDING MATERIAL SUPPLY BUSINESS WITH OUTDOOR STORAGE OF ROOFING MATERIALS AND ACCESSORY OVERNIGHT TRUCK STORAGE IS AKIN TO A LUMBERYARD AND APPROVING A CONDITIONAL USE; APPROVING A LEVEL 4 SITE PLAN AND LANDSCAPE PLAN AT 1127 POINSETTIA DRIVE, AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES AND THE COMPREHENSIVE PLAN OF THE CITY OF DELRAY BEACH; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(QUASI JUDICIAL)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 22-26](#)
[PZB Staff Report, 1127 Poinsettia Drive](#)
[Applicant Narrative, 1127 Poinsettia Drive](#)
[Survey, 1127 Poinsettia Drive](#)
[Site Plan, 1127 Poinsettia Drive](#)
[Landscape Plan, 1127 Poinsettia Drive](#)
[Traffic Letter, 1127 Poinsettia Drive](#)
[Stormwater Report, 1127 Poinsettia Drive](#)
[Wellfield Affidavit Notification, 1127 Poinsettia Drive](#)
[Subject Property Photos, 1127 Poinsettia Drive](#)
[Legal Review, Resolution No. 22-26](#)

Ms. Gelin read Resolution No. 22-26 into the record.

Mayor Carney asked those wishing to speak on this item to be sworn in by the Clerk. Alexis Givings, City Clerk, swore in those individuals who wished to provide testimony.

Mayor Carney read the quasi-judicial rules into the record and asked his colleagues to disclose any ex-parte communications.

Mayor Carney: Possible emails on the City's server.

Vice Mayor Burns: None.

Commissioner Markert: None.

Commissioner Casale: None.

Anthea Gianniotis, Development Services Director, entered two File Nos into the record: 2023-207 (Conditional Use) and 2024-127 (Level One Site Plan).

Jeff Costello, JC Planning Solutions, represented the applicant, ABC Supply Company. He gave a brief presentation regarding the existing 2-acre site at the NE corner of Poinsettia Drive and Lime Lane, an existing facility approved in 1999 with a 2006 outdoor expansion. It has a commerce land use designation and zoned MIC, surrounded primarily by industrial with some residential along Royal Palm.

The proposal is a lumber yard type of use including existing outdoor storage to the east, a 6,500 square foot outdoor storage area to the west,

and proposed truck parking on the north side, with some paved area removed and landscaping installed. The Planning and Zoning Board recommended approval on January 26th with a condition to provide trees and a hedge per a revised landscape plan.

He stated findings can be made that the use is consistent with zoning, land use, LDRs, and the comprehensive plan, and will not have a significantly detrimental effect on the neighborhood. It includes screened storage and truck parking with extensive landscaping, and meets all applicable standards with no areas of concern.

Anthea Gianniotis, Development Services Director, explained that the reason this is a level four is because there is a conditional use attached to minimal exterior improvements. Landscaping and buffer changes are typically administrative level. She clarified that parking is along Royal Palm Drive with existing and additional outdoor storage areas. She stated for the record that instead of moving the applicant through a similarity of use determination, the project is being reviewed holistically to streamline, with the resolution deciding the use is akin to a lumber yard allowed as a conditional use, involving little change to buildings but expanded outdoor storage, landscaping, and truck parking.

She noted the project has been analyzed and can be approved with conditions. The Planning and Zoning Board recommended an augmented buffer adjacent to the house. It is in mixed industrial zoning surrounded by other industrial uses. For the site plan, it is a roofing material distribution warehouse and is seeking additional exterior storage and overnight truck parking.

Mayor Carney opened the meeting up to public comments. Seeing no one present, public comments was closed.

There was not cross-examination or rebuttal.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, that Resolution No. 22-26 be approved. The motion carried by the following vote:

Yes: 4 - Commissioner Markert, Mayor Carney Jr., Deputy Vice Mayor Burns, and Commissioner Casale

7.F.

NOMINATION FOR AN APPOINTMENT TO THE GREEN IMPLEMENTATION ADVANCEMENT BOARD. BASED ON THE ROTATION SYSTEM, THE NOMINATION FOR AN APPOINTMENT OF ONE (1) MEMBER TO SERVE A TERM ENDING JULY 31, 2028, WILL BE MADE BY DEPUTY VICE MAYOR BURNS (SEAT #4).

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[GIAB Board Member List](#)
[GIAB 2026 Attendance](#)
[Forcier, Anick](#)
[Rubenstein, Stuart](#)
[Wieland, John](#)

John Wieland was appointed.

8. PUBLIC HEARINGS/SECOND READINGS:

8.A. None

9. FIRST READINGS:

9.A. ORDINANCE NO. 12-26: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH CODE OF ORDINANCES BY AMENDING CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.3, "DISTRICT REGULATIONS," SECTION 4.3.2 "DETERMINING USE," SUBSECTION (B), "CATEGORIES OF USE," TO ALLOW FOR THE RENTAL OF ACCESSORY DWELLING UNITS; AMENDING SECTION 4.3.3 "SPECIAL REQUIREMENTS FOR SPECIFIC USES," SUBSECTION (K), "HOME-BASED BUSINESS," TO ALLOW A HOME-BASED BUSINESSES TO OPERATE IN AN ACCESSORY STRUCTURE OCCUPIED BY THE RESIDENT OF THE PRINCIPAL OR ACCESSORY STRUCTURE, SUBSECTION (Q), "GUEST COTTAGES," BY RENAMING THE SUBSECTION AS "ACCESSORY STRUCTURES TO ADOPT ALL ACCESSORY STRUCTURE REGULATIONS IN ONE SECTION AND TO ADOPT NEW REGULATIONS FOR ACCESSORY DWELLING UNITS. AND REPEALING SUBSECTION (QQ), "ACCESSORY STRUCTURES" FOR ADOPTION OF SUCH REGULATIONS IN THE REORGANIZED SUBSECTION (Q); AMENDING ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.3 "SINGLE FAMILY RESIDENTIAL (R-1) DISTRICTS," SECTION 4.4.6 "MEDIUM DENSITY RESIDENTIAL (RM) DISTRICT," SUBSECTION (C), "ACCESSORY USES AND STRUCTURES PERMITTED," SECTION 4.4.13, "CENTRAL BUSINESS (CBD) DISTRICT," TABLE 4.4.13(A), "ALLOWABLE USES AND STRUCTURES IN THE CBD SUB-DISTRICTS," TO UPDATE LANGUAGE CLARIFYING MULTI FAMILY USES AND TO ADD ACCESSORY DWELLING UNITS AS AN ACCESSORY USE IN THE WEST ATLANTIC NEIGHBORHOOD SUB-DISTRICT; AMENDING ARTICLE 4.5, "OVERLAY AND ENVIRONMENTAL MANAGEMENT DISTRICTS," TO ADOPT A NEW

SECTION 4.5.23 "NORTHWEST / SOUTHWEST NEIGHBORHOOD OVERLAY DISTRICT;" AMENDING ARTICLE 4.7, "FAMILY / WORKFORCE HOUSING" BY ADOPTING A NEW SECTION 4.7.9 "ACCESSORY DWELLING UNITS;" AND BY AMENDING APPENDIX A, "DEFINITIONS," TO ADOPT A DEFINITIONS FOR "DWELLING UNIT, ACCESSORY (ADU)," PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

Sponsors: Development Services Department

- Attachments:** [Agenda Cover Report](#)
[Ord. No. 12-26, ADUs](#)
[Staff Report, Accessory Dwelling Units](#)
[Opticos Delray Beach ADU and Infill Housing Study](#)
[General Resource, AARP](#)
[General Resource, Florida Housing Finance Corporation](#)
[General Resource, American Planning Association](#)
[BIE Form Ord. No. 12-26 - Approved by Finance English](#)
[Proof of Legal Advertisement](#)
[Ord 12-26 Legal Review](#)

City Attorney Lynn Gelin read Ordinance No. 12-26 into the record.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, that Ordinance No. 12-26 be approved.

all were in favor

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

None.

B. City Attorney

None.

C. City Commission

Commissioner Markert
None

Deputy Vice Mayor Burns
Asked for consensus to address the misspelling of the name Witherspoon on a city street. Consensus was granted. Mr. Moore would provide more

information to the Commission in writing in the next couple of weeks. She mentioned the youth fair she attended and stated it was a great opportunity for young people to have their art displayed in a real museum.

Commissioner Casale

Wished a happy International Women's Day, congratulated a colleague after attending the Diaspora Award where Deputy Vice Mayor Burns received recognition. She mentioned "Run on the Ave" event and requesting a date by the next meeting. Mr. Moore stated the event needed to be coordinated with the Florida Department of Transportation and he would be announcing it at the next meeting. Raised concerns that the Old School Square website donation page is unclear and lacked a disclaimer. Lastly, she requested more information on City property listings before discussions so they understand what is being marketed.

Mayor Carney

Asked about the status of a 2012 agreement between the City of Delray Beach and Palm Beach County regarding using their parking garage; suggested communities being able to design signs for their neighborhoods; spoke about the meeting with the Lake Worth Drainage District regarding saving the tree on the golf course; inquired about the completion status and a caddy program when the golf course reopens, which Mr. Moore responded that the caddy program is to be determined; asked about the status of Pompey Park's construction; inquired about the maintenance of the library and the possibility of giving it a facelift.

Missie Barletto, Public Works Director, responded the golf course will be completed in November. A joint meeting with the Community Redevelopment Agency will be scheduled in April to discuss adjustments to the funding or scope of the Pompey Park project; the library wants to do a facelift and change the color scheme, with a donor assisting with signage, and it will come before the Commission in the upcoming fiscal year's capital improvement program requests. As it relates to the library, Mr. Moore added that at some point, the library will take ownership of the building so staff needs to double check before making any decisions about the library.

Lastly, the Mayor inquired about the status of the seawall. Ms. Gelin advised that a meeting was scheduled for Friday.

11. ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 7:47 p.m.

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.