

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

MEETING DATE: May 1, 2024

MEETING PLACE: City Commission Chambers

1. CALL TO ORDER

The meeting was called to order by Jim Chard, Chair at 6:00 P.M.

2. ROLL CALL

A quorum was present.

Members present Jim Chard, Chair; John Miller, Vice Chair; Chris Cabezas, 2nd Vice Chair; Peter Dwyer; Kristin Finn; John Brewer and Ivan Heredia.

Absent None

Staff present were William Bennett, Assistant City Attorney; Michelle Hoyland, Principal Planner; Rebekah Dasari, Principal Planner; David Glover, Senior Landscape Planner; Michelle Hewett, Planner; Katherina Paliwoda, Planner; and, Diane Miller, Board Secretary.

3. APPROVAL OF AGENDA

Motion to APPROVE the agenda for May 1, 2024, made by John Miller and seconded by Chris Cabezas.

MOTION CARRIED 7-0

4. MINUTES

None

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

Claudia Willis, resident of 42 Palm Square, expressed concern about overdevelopment in the City's Historic Districts, highlighting that it disregards the Secretary of Interior Standards. She emphasized that the Board's responsibility is to preserve these historic areas.

Roger Cope, of 701 SE 1st Street, voiced his worries about the potential removal of the lawn bowling courts at the Veterans Park Recreation Center to make way for a parking lot. He stressed the importance of preserving these courts and other public recreational spaces for

future public use.

George Long, resident of 46 N Swinton Avenue, concurred with the previous speakers' concerns.

7. PRESENTATION

2024 Historic Preservation Board Awards - In honor of National Historic Preservation Month

Recognition of the award winner for the Historic Preservation Board meeting of May 1, 2024.

The Historic Preservation Board Award for a Residential Contributing Addition was presented to Alan and Ruth Baum, owners of 105 NE 7th Street.

Ms. Hoyland announced that the National Alliance of Preservation Commissions will conduct a walking tour of the 200 block of NE 1st Avenue, known as Bankers Row, to showcase successful preservation efforts. A second tour will cover the West Settlers Historic District, focusing on NW 5th Avenue, to highlight ongoing preservation initiatives.

During National Historic Preservation Month in May, staff highlighted the history and revitalization of the Bankers Row Historic District, showcasing the Master Redevelopment Plan that contributed to its success.

8. QUASI-LEGISLATIVE ITEMS-CITY INITIATED

A. Level 1 Site Plan and Certificate of Appropriateness (2024-093): Level 1 Certificate of Appropriateness request for Landscape and Hardscape modifications Block 61 portion of Sundry Village.

Address: Block 61 portion of the Sundry Village Project, Old School Square
Historic District

Owner: Sundry Village West, LLC; jhochman@pebbcap.com

Agent: Mike Covelli; mike@covellidesign.com

Planner: Katherina Paliwoda; paliwodak@mydelraybeach.com

Katherina Paliwoda, Planner entered file 2024-093 into the record.

Exparte

Kristin Finn-None.

Ivan Heredia -None.

John Miller-None.

Jim Chard-Spoke with the Applicant regarding this item.

Chris Cabezas-None.

Peter Dwyer-None.

John Brewer-None.

Applicant

Mike Covelli, Covelli Design Associates; 1209 S Swinton Avenue, Delray Beach, FL 33444

Staff Presentation

Katherina Paliwoda, Planner and David Glover, Senior Landscape Planner, presented through a Microsoft Power point presentation.

Public Comment

Claudia Willis, a resident of 42 Palm Trail, expressed concern about the proposed landscape changes, particularly the removal of established shade trees, which she felt were not adequately replaced by smaller trees. However, she supported the proposed relocation of trees to the train depot.

Rebuttal/Cross

Mike Covelli noted that only two existing oak trees along Atlantic Avenue will need to be removed during construction, and both will be relocated to the train depot.

David Glover noted that the proposed Bridal Veil trees will reach a maximum height of 30 to 40 feet.

Board Comments

Jim Chard inquired about the installation of the eight Bridal Veil trees and whether they would be consistent with the existing oak trees along Atlantic Avenue. The applicant explained that the Florida Department of Transportation prohibits the planting of oak trees due to their proximity to the street curbing. Mr. Chard noted that the property owner is responsible for maintaining any relocated trees from block 69 to block 61 and asked if the applicant would also be responsible for maintaining trees relocated to the train station. William Bennett responded that the applicant could not be responsible for maintaining trees on properties they do not own. Mr. Chard expressed concern about ensuring proper maintenance of the relocated trees and questioned what measures were in place.

John Miller noted that signage approval would occur later and asked if it should be obtained before modifying the proposed fountain, as the fountain design might need alteration if the signage was not approved. He strongly disapproved of the landscape plan due to the removal of existing vegetation but supported the proposed landscape plan as there was no alternative and endorsed the proposed tree species.

Chris Cabezas voiced concern over the high mortality rate of temporarily relocated trees and recommended that the city take measures to ensure proper maintenance of relocated trees. Staff indicated that it is not uncommon for relocated trees to expire. Mr. Cabezas suggested relocating trees directly to their permanent locations to improve their survival rate and supported the Bridal Veil trees and the proposed water feature.

Kristin Finn confirmed that the two oak trees along Atlantic Avenue would be relocated to the train station and maintained by the city.

Ivan Heredia requested more information on streetscape requirements for landscaping within the Florida Department of Transportation right-of-way.

John Brewer supported the alternate fountain design, stating it would improve pedestrian

traffic flow into the development. He echoed Mr. Cabezas's recommendation that trees be relocated directly to their permanent locations to enhance their survival chances.

MOTION to approve the Level 1 Site Plan, Landscape Plan, and Certificate of Appropriateness (2024-093), for the property located at Sundry Village – Block 61, Old Schol Square Historic District, by finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, was made by John Miller and seconded by Chris Cabezas.

MOTION CARRIED 5-2

DISSENTING Ivan Heredia and Jim Chard

B. Certificate of Appropriateness and Demolition (2024-057): Consideration of a Certificate of Appropriateness and Demolition of a contributing single-family structure.

Address: 303 SE 7th Avenue, Marina Historic District

Owner: Bianca and Donald Pucci; biancapucci@outlook.com

Agent: Gareth Dunn; archtelier15@gmail.com

Planner: Katherina Paliwoda; paliwodak@mydelraybeach.com

Michelle Hoyland, Principal Planner, entered file 2024-057 into the record.

Exparte

Kristin Finn - None.

Ivan Heredia - Received an email.

John Miller - Spoke with Chuck Halberg and Anne Whitehead and received an email.

Jim Chard - Spoke with Chuck Halberg, visited the site and received two emails.

Chris Cabezas - Received emails.

Peter Dwyer - Received emails.

John Brewer - Spoke with Chuck Halberg.

Applicant

Don Pucci and Bianca Pucci, property owners of 303 SE 7th Avenue.

Staff Presentation

Michelle Hoyland, Principal Planner, presented through a Microsoft Power point presentation.

Public Comment

Chuck Halberg, a resident of 120 NW 4th Avenue, shared his construction experience and expressed frustration over receiving a stop work order. He highlighted discrepancies between the scope of approval on the Certificate of Appropriateness and the approved scope of work on the Building Permit. Mr. Halberg acknowledged he had not consulted Historic Preservation staff to better understand the approvals nor to keep them informed about the renovation's progress.

Bruce Lee, President of the Meridian Delray Condominium Association, supported the proposed structure, noting that it is consistent with the historic district. He mentioned that partial demolition was necessary to complete the renovation.

George Long, a resident of 46 N Swinton Avenue, added that demolishing existing walls is sometimes necessary during construction to enhance the structure's resilience.

Rebuttal/Cross

Bianca Pucci suggested using alternate materials for constructing the trellis and adjusting window sizes while preserving the historic integrity of the original structure.

Michelle Hoyland noted that a Code Enforcement violation was issued as the property owner deviated from the approved plan of record. She clarified that the approved COA allowed for the demolition of up to 5% of the structure. Ms. Hoyland expressed no objections to a metal trellis, citing its durability against the elements, and mentioned that a determination could be made post-construction to consider whether the reconstruction qualifies as a contributing structure within the Marina Historic District.

Board Comments

Jim Chard raised concerns about the possibility of an ad valorem tax exemption being issued. Staff clarified that such an exemption requires the issuance of a Certificate of Occupancy and a historic inspection. Mr. Chard praised the staff report and asked if previous approvals would need the Board to conduct a second review. Staff indicated that prior approvals would remain valid, and variances granted by the Board would continue with the property.

John Miller expressed support for the proposed plan, noting that it aligns with the original approval even after demolition. He raised concerns about the ad valorem tax exemption, questioning whether it applied to the original 1956 structure or the altered 1980 structure. Staff explained that a structure can be considered historic if it was built at least 50 years ago and meets specific criteria. The proposed reconstruction aims to replicate the original architecture of the 1956 structure.

John Brewer noted that the Palm Beach County Property Appraiser's Office to determine the appropriateness of a tax exemption for a reconstruction or replication.

Chris Cabezas sought clarification on the 25% demolition threshold. Staff clarified that removing 25% or more of the structure requires additional measures for structural integrity and public notice to adjacent property owners. Removing a roof triggers this threshold. Mr. Cabezas supported the proposed architectural design.

Ivan Heredia emphasized the importance of ongoing communication with staff during project development.

Peter Dwyer expressed support for the project, noting its fidelity to the original architectural style.

Kristin Finn encouraged the applicant to closely mirror the original architectural style during reconstruction, acknowledging potential challenges and stressing the importance of communication with staff.

MOTION to approve Certificate of Appropriateness and Demolition (2024-057), for the property located at 303 SE 7th Avenue, Marina Historic District, by finding that the request

and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations. was made by Kristin and seconded by John Miller.

MOTION CARRIED 7-0

9. LEGISLATIVE ITEMS- PRIVATELY INITIATED

A. Land Use Map Amendment (2024-098), and Rezoning (2024-097):

Recommendation to the City Commission on Ordinance No. 16-24, a privately-initiated request for a Land Use Map Amendment (LUMA) from Community Facilities (CF) to Low Density (LD) for a 0.5021-acre property, and a Recommendation to the Planning and Zoning Board Ordinance No. 17-24, a privately initiated rezoning request from Community Facilities (CF) to Single Family Residential (R-1-AA) for a 0.5021-acre property.

Address: 200 SE 7th Avenue, Marina Historic District

Owner: Cheryl Forman; cherylforman@icloud.com

Agent: Jeffrey Costello; jcostello@jcplanningsolutions.com

Planner: Michelle Hewett; hewettm@mydelraybeach.com; **Rebekah Dasari**; dasarir@mydelraybeach.com

Michelle Hewett, Planner, entered files 2024-098 and 2024-097 into the record.

Exparte

Kristin Finn-None.

Ivan Heredia -Received an email.

John Miller-None.

Jim Chard-Spoke with Jeff Costello and received two emails.

Chris Cabezas- Spoke with Jeff Costello.

Peter Dwyer-None.

John Brewer- Spoke with Jeff Costello.

Applicant

Jeff Costello, JC Planning Solutions, 821 Delray Lake Drive, Delray Beach, FL 33444

Staff Presentation

Michelle Hewett, Planner, presented through a Microsoft Power point presentation.

Public Comment

Roger Cope, of 701 SE 1st Street, presented a letter from the Delray Beach Preservation Trust opposing the requested Land Use Amendment and Rezoning. The letter emphasized the historical significance of the church within the Marina Historic District.

Claudia Willis, resident of 42 Palm Square, expressed her opposition to the rezoning request. She highlighted the importance of the Community Facility zoning district in supporting various community functions previously held at the facility. Ms. Willis argued that rezoning could compromise the property's historic integrity.

Ted Foreman, husband of the property owner, mentioned his and his wife's restoration of the historic Evans Building in the Bankers Row Historic District. He assured that the historical character of the church would be preserved.

Rebuttal/Cross

Jeff Costello emphasized that any exterior changes to the site will necessitate a Certificate of Appropriateness from the Board. He clarified that the requested R-1-AA zoning district would result in less intensive use compared to the current zoning designation, with the proposed district also imposing a minimum lot size requirement.

Michelle Hewett clarified that the Board's findings are specifically limited to the Land Use Amendment and rezoning requests.

BOARD COMMENTS

Ivan Heredia sought clarification on the request before the Board, and staff clarified that it solely concerned a change in zoning district with no pending development application for the parcel. Mr. Heredia expressed opposition to the requested rezoning.

John Miller confirmed that the parcel to the north, previously used as a parking lot, would not be affected by this request. He opposed the rezoning, citing concerns about its impact on the community fabric.

Peter Dwyer noted that the zoning had previously changed from R-1-A single-family to Community Facilities and voiced his lack of support for the proposed changes.

Chris Cabezas emphasized the importance of the facility's current use and did not find the requested rezoning appropriate.

Jim Chard disagreed with the applicant's assertion that rezoning the property to R-1-AA would benefit the neighborhood. The applicant argued that the allowable uses under Community Facility zoning were not compatible with the surrounding single-family neighborhood. Mr. Chard questioned whether there had been a change in circumstances necessitating the zoning change, to which the applicant responded that the property was no longer used as a church and there was increased demand for housing. Mr. Chard referenced the City's Comprehensive Plan, which aims for a mix of land uses, and argued that the current zoning already provides such a mix in the neighborhood. He also disputed the applicant's characterization of the proposed changes as infill development.

Land Use Amendment

MOTION to move a recommendation of denial to the Planning and Zoning Board of Ordinance No. 16-24, a privately-initiated request for a Land Use Map Amendment (LUMA) from Community Facilities (CF) to Low Density (LD) for a 0.5021-acre property located at 200 SE 7th Avenue, finding that the amendment and approval thereof is not consistent with the Comprehensive Plan and does not meet the applicable criteria set forth in the Land Development Regulations, was made by John Miller and seconded by Kristin Finn.

MOTION CARRIED 7-0

Rezoning

MOTION to move a recommendation of denial to the Planning and Zoning Board of Ordinance No. 17-24, a privately-initiated rezoning request from Community Facilities (CF) to Single Family Residential (R-1-AA) for a 0.5021-acre property located at 200 SE 7th Avenue, finding

that the request and approval thereof is not consistent with the Comprehensive Plan and does not meet the applicable criteria set forth in the Land Development Regulations, was made by John Miller and seconded by Kristin Finn.

MOTION CARRIED 7-0

10. REPORTS AND COMMENTS

A. Staff Comments

The Frog Alley steering committee convened to advance the finalization of the historic resource survey.

A tour of the City Golf Course with Richard J. Heisenbottle Architects, Inc. was held to initiate the historic resource survey.

The Cemetery resource survey will begin shortly, with a consultant expected to be hired by the end of August.

Reevaluation of the Atlantic Avenue resource survey is underway to determine necessary next steps, including potential new public notices.

The Landscaping and the Natural Environment memorandum was redistributed to all Board members as requested by Jim Chard.

Staff initiated inquiries with other municipalities regarding procedures for handling after-the-fact demolitions, aiming to enhance current processes and procedures.

B. Board Comments

Chris Cabezas mentioned that he did not receive any emails referenced by the applicants but noted that copies were provided to Board members present. He inquired about the 25% demolition requirements and impact fees for new construction.

Kristin Finn noted maintenance concerns she observed on the rectory building at the Sundry Village development.

C. Attorney Comments

None.

11. ADJOURN

There being no further business to come before the Board, the meeting was adjourned at 10:30 P.M.

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 **May 1, 2024**, which were formally adopted and **APPROVED** by the Board on **September 4, 2024**.

ATTEST:



CHAIR



BOARD SECRETARY

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