

**MINUTES
SITE PLAN REVIEW AND APPEARANCE BOARD
CITY OF DELRAY BEACH**

MEETING DATE: November 29, 2023

MEETING PLACE: City Commission Chambers

1. CALL TO ORDER

This meeting was called to order by William Bennett, Assistant City Attorney at 5:01 pm.

2. ROLL CALL

A quorum was present.

Members Present: Jose Alvarez, Steven Cohen, Annette Gray, Adam Nelson and Linda Purdo.

Absent: Dana Adler and Keith Beal

Staff Present: William Bennett Assistant City Attorney; Rafik Ibrahim, Principal Planner; Julian Gdaniec, Senior Planner; Susana Rodrigues, Planner; and Diane Miller, Board Secretary.

3. ELECTION OF OFFICERS

William Bennett announced that the next item of the Agenda will be the Election of the Officers and he explained the process of electing officers.

Motion made by Annette Gray to nominate Dana Adler as Chair and seconded by Steven Cohen.

Motion Carried 5-0

Motion made by Steven Cohen to nominate Annette Gray as Vice Chair and seconded by Linda Purdo.

Motion Carried 5-0

Motion made by Linda Purdo to nominate Steven Cohen as 2nd Vice Chair and seconded by Annette Gray.

Motion Carried 5-0

4. APPROVAL OF AGENDA

The approval of the agenda (Item 4) took place prior to Election of Officers (Item 3)

Item 9B (354 SE 5th Avenue) has been postponed.

MOTION to APPROVE the amended November 29, 2023, agenda was made Annette Gray and seconded by Steven Cohen.

Motion Carried 5-0

5. MINUTES

Motion to APPROVE the minutes of the October 25, 2023, meeting was made by Steven Cohen and seconded by Linda Purdo.

Motion Carried 5-0

6. SWEARING IN OF THE PUBLIC

Annette Gray, Vice Chair (as Chair), read the Quasi-Judicial Rules for the City of Delray Beach and Ms. Miller swore in all who wished to give testimony.

7. COMMENTS FROM THE PUBLIC

None

8. PRESENTATIONS

None

9. QUASI-JUDICIAL HEARING ITEMS

A. 310 East Atlantic Avenue (2023-199): Consideration of a Level 2 Site Plan Modification to alter the façade of the existing building located at 310 East Atlantic Avenue, including updating the storefront frontage, providing each bay individual entrance doors, replacing the existing canopy with a metal awning, and achieving an overall Main Street Vernacular Style.

Address: 310 East Atlantic Avenue

PCN: 12-43-46-16-01-093-0021

Applicant/Property Owner: Lelyn Delray Properties 1, LLC; leo@lelyngroup.com

Authorized Agent: Steven E. Myott; smyott@semarchitecture.com

Project Planner: Susie Rodrigues, Planner; rodrigues@mydelraybeach.com

Susana Rodrigues, Planner, entered Project File 2023-199 into the record.

Applicant Presentation

Steven E. Myott; Steven E Myott Architecture; 639 E Ocean Avenue Suite 403, Boynton Beach, FL 33435

Staff Presentation

Susana Rodrigues, Planner, presented the project from a Microsoft PowerPoint presentation.

Exparte Communications

Annette Gray-None

Steven Cohen-None

Linda Purdo-None

Jose Alvarez-None

Adam Nelson-None

Rebuttal/Cross

Steven Myott expanded as to how the building currently looks.

Public Comment

None

Board Comments

Linda Purdo was supportive of the proposed changes but voiced concern that the architectural style is too modern. Ms. Purdo recommended that additional architectural details be added.

Adam Nelson was supportive of the design and indicated that it would improve the surrounding area.

Annette Gray was supportive of the design and noted that the architectural style is in harmony with the adjacent structures.

MOTION to move to approve the requested Level 2 Site Plan Modification to alter the façade of the existing building located at 310 East Atlantic Avenue, including updating the storefront frontage, providing each bay individual entrance doors, replacing the existing canopy with a metal awning and providing an overall Main Street Vernacular Style, by finding that the request meets the criteria set forth in the Land Development Regulations, was made by Steven Cohen and seconded by Annette Gray.

MOTION Carried 5-0

B. 354 SE 5th Avenue (2022-151): Consideration of a Level 3 Site Plan Application, including a Landscape Plan, Landscape Waiver, and Architectural Elevations, for a three-story, 8-unit townhouse development.

Address: 354 SE 5th Avenue

PCN: 12-43-46-21-01-104-0070

Applicant / Property Owner: Delport Limited Partnership

Agent: Jeffrey Silberstein, Silberstein Architecture; js@silbersteinarchitect.com

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

The item has been postponed by request of the applicant.

C. Delray Townhomes (2021-025): Consideration of a Level 3 Site Plan Application, including a Landscape Plan and Architectural Elevations, for a 25-unit multi-family development.

Address: 4652 133rd Road S.

PCN: 12-42-46-12-00-000-3200

Applicant / Property Owner: Ocean Ridge Rentals LLC

Agent: Kimley Horn and Associates

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

Julian Gdaniec, Senior Planner, entered Project File 2021-025 into the record.

Applicant Presentation

Jason Webber, Kimley Horn and Associates; 1615 S Congress Avenue Suite 201, Delray Beach, FL 33445

Adam Kurr, Kimley Horn and Associates 477 S. Rosemary Avenue #215, West Palm Beach, FL 33401

Staff Presentation

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

Exparte Communications

Annette Gray-None

Steven Cohen-None

Linda Purdo-None

Jose Alvarez-None

Adam Nelson-None

Rebuttal/Cross

Jason Webber noted that the requested density is appropriate for the zoning district as it does not exceed the maximum lot coverage and exceeds the amount of required open space required in the City's Land Development Regulations. Mr. Webber noted that the traffic study indicated that the amount of generated traffic will not detrimentally impact the surrounding community.

Adam Kurr remarked that the number of peak hour trips indicated in the traffic report showed that the increase in traffic resulting from the proposed development will be negligible.

Public Comment

Jacqueline Bronkie, 1310 Laurelwood Lane - Ms. Bronkie had concerns regarding the proposed development. She was concerned about the traffic generated, negatively impacting 133rd Road S and Barwick Road. Ms. Bronkie asked the Board to consider reducing the number of units to lessen the negative impacts that may result from this proposed development.

Alise Finst, 707 Place Tavant - Ms. Finst was concerned about traffic resulting from this development negatively impacting Barwick Road. Ms. Finst recommended reducing the number of units and setting back the structures from 133rd Road South.

Arnold Katz, 6123 Caladium Road - Mr. Katz advocated that if the development would be limited to six units per acre, it would limit the traffic impact to Barwick Road.

Juli Casale, 3717 Satin Leaf Court - Ms. Casale voiced concern that additional development will negatively impact the standard of living for neighboring residents.

Board Comments

Jose Alvarez was supportive of the amount of open space and the proposed landscape design. Mr. Alvarez referred to the traffic report provided by the applicant and noted that he did not believe the additional traffic generated by the development would significantly affect traffic along Barwick Road.

Steven Cohen noted that the project conforms with the City's Land Development Regulations.

Adam Nelson was supportive of the project, noting the amount of open space and the proposed architectural style. Mr. Nelson voiced concern regarding the additional traffic generated from the proposed development.

Linda Purdo was supportive of the project but was concerned about the traffic generated from the proposed development, from this and adjacent future developments along 133rd Road South.

Annette Gray was supportive of the project and noted that the applicant has addressed previous concerns of the Board. Ms. Gray mentioned the need for additional housing in the City and voiced concerns of the potential negative impact on current residents in the surrounding community.

MOTION to move approval of the Level 3 Site Plan Application known as Delray Townhomes (2021-025), including a Landscape Plan and Architectural Elevations for a 25-unit multi-family development, located at 4652 133 Road South, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations, was made by Steven Cohen and seconded by Linda Purdo.

MOTION Carried 5-0

D. Edge of Pineapple Grove (2022-008): Provide a recommendation to the City Commission for waiver requests to the requirements of the Central Business District (CBD) associated with a Level 4 Site Plan for an eight-unit townhouse development; the relief is to allow vehicular access from a Primary Street (NE 2nd Street) and to reduce the front setback requirement from ten feet to approximately three feet and six inches for the second and third floors and limited to the corner at the intersection of NE 6th Avenue and NE 2nd Street.

Address: 605 NE 2nd Street

PCN: 12-43-46-16-01-114-0090

Applicant: Downtown Second Street, LLC

Property Owner: 215 NE 6th Ave, LLC

Authorized Agent: Dunay, Miskel & Backman, LLP; bmiskel@dmbblaw.com, cbilenki@dmbblaw.com

Project Planner: Susie Rodrigues, Planner; rodriguess@mydelraybeach.com; Amy Alvarez, Assistant Director; alvarez@mydelraybeach.com

Susana Rodrigues, Planner, entered Project File 2022-008 into the record.

Applicant Presentation

Christina Bilenki, Dunay, Miskel & Backman, LLP 14 SE 4th St #36, Boca Raton, FL 33432

Nicholas Netta, Netta Architects; 621 NW 53rd Street, Boca Raton, FL 33487

Staff Presentation

Susana Rodrigues, Planner, presented the project from a Microsoft PowerPoint presentation.

Exparte Communications

Annette Gray-None

Steven Cohen-None

Linda Purdo-None

Jose Alvarez-None

Adam Nelson-None

Rebuttal/Cross

Nicholas Netta noted that one of the curb cuts along NE 2nd Street will be removed and will improve the pedestrian experience. Mr. Netta noted that the adjacent alleyway width was not in conformity with the City's Land Development Regulations.

Christina Bilenki noted that the applicant was unable to secure an access point into the proposed development from Federal Highway. The applicant indicated that the Florida Department of Transportation approved the access point off of NE 2nd Street.

Public Comment

Jill Schifferli, 321 Palm Trail - Ms. Schifferli voiced opposition to the proposed design and requested waivers, as the proposed project would create unsafe conditions for pedestrians and vehicles.

Mark Ronald, 722 NE 2nd Street - Mr. Ronald voiced opposition to the request waivers as the waivers would create an unsafe pedestrian experience. Mr. Ronald noted that the requested waivers are solely the result of the developer design.

Michael Schlesinger, 200 NE 7th Avenue Unit 3 - Mr. Schlesinger was concerned that the additional units fronting the alley would create an unsafe traffic situation.

Joy Howell, 25 NW 24th Court - Ms. Howell did not think that the proposed architectural style was appropriate for a residential structure. Additionally, Ms. Howell noted that the proximity of the structures to the sidewalk adversely affects the pedestrian experience along NE 2nd Street and Federal Highway.

Cynthia Kramer, 239 NE 7th Avenue - Ms. Kramer noted that the applicant did not provide any study to indicate that utilization of the alleyway for access was safe.

Board Comments

Jose Alvarez noted that the development to the south had primary access from Federal Highway. Mr. Alvarez voiced concern regarding vehicles traversing over a sidewalk, but due to the limited scale of the development was not as concerned.

Linda Purdo was concerned regarding the utilization of the adjacent alleyway as a primary means of access for certain units. Ms. Purdo did not oppose the setback waiver.

Adam Nelson was concerned about the vehicular access waiver. Mr. Nelson noted that the addition of an access point in that location would exacerbate the already congested traffic situation.

Steven Cohen recommended that the two requested waivers not be approved.

Annette Gray opposed granting a recommendation of approval as she indicated that the need for the requested waivers is a hardship imposed solely by the developer.

Access from a Primary Street Waiver

MOTION to move to recommend denial to the City Commission of the waiver request for The Edge at Pineapple Grove at 605 NE 2nd Street (2022-008) to allow vehicular access from NE 2nd Street, a Primary Street; by finding that the request does not meet the criteria set forth in the Land Development Regulations, was made by Linda Purdo and seconded by Steven Cohen.

MOTION Carried 4-1

DISSENTING Jose Alvarez

Front Setback Waiver

MOTION to move to recommend denial to the City Commission of the waiver request for The Edge at Pineapple Grove at 605 NE 2nd Street (2022-008) to reduce the front setback requirement from ten feet to approximately three feet and six inches for the second and third floors and limited to the corner at the intersection of NE 6th Avenue and NE 2nd Street per Sheet A.100, by finding that the request does not meet the criteria set forth in the Land Development Regulations, was made by Linda Purdo and seconded by Steven Cohen.

MOTION Carried 4-1

DISSENTING Adam Nelson

10. Reports and Comments

A. City Staff

The upcoming Board meetings will be held on December 13, 2023, and January 24, 2024. A review of the Central Business District Architectural styles and Board responsibilities in relation to the newly adopted Land Development Regulations will be held at the December 13th meeting.

B. Board Attorney

William Bennett introduced Daniela Vega and welcomed the new Board members.

Mr. Bennett informed the Board that a training video will be provided. Additionally, Mr. Bennett summarized the Sunshine Law and reminded the Board that all members will need to complete ethics training if they have not yet done so.

C. Board Members

Jose Alvarez asked about the purview of the Site Plan Review and Appearance Board in relation to the newly adopted Land Development Regulations. Mr. Alvarez was informed that a presentation regarding the changes will be held at the next meeting.

11. ADJOURN

There being no further business to come before the Board, the meeting was adjourned at 7:30 p.m.

The undersigned is the Board Clerk of the Site Plan Review & Appearance Board and the information provided herein is the Minutes of the meeting of said body **November 29, 2023**, which were formally adopted and **APPROVED** by the Board on **January 24, 2024**.

ATTEST:



CHAIR



BOARD SECRETARY

NOTE TO READER: If the Minutes you have received are not completed as indicated above, then this means that these are not the official Minutes of the Site Plan Review and Appearance Board. They will become official minutes only after review and approval, which may involve some amendments, additions, or deletions.