

City of Delray Beach

*100 N.W. 1st Avenue
Delray Beach, FL 33444*



Minutes - Draft

Tuesday, January 23, 2024

5:30 PM

Swinton Operation Complex Board Room

Parking Management Advisory Board

Comments and Inquiries on Non-Agenda and Agenda Items from the Public: Any member of the public wishing to comment publicly on any matter, will be able to during the Public Comment period of the meeting as noted on the agenda.

General Rules: All public comments must be addressed to the Advisory Board as a body and not to individual Board members or staff. Personal verbal attacks upon Board members and staff will not be tolerated. Members of the public shall refrain from making comments that are impertinent, obscene, personally insulting, defamatory, or slanderous remarks.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation for this proceeding should contact the Public Works Department at 561-243-7295 or josemondJ@mydelraybeach.com by 2:00 PM on October 24, 2023.

If any member of the public requires additional information, please contact:
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1. Call to Order

Meeting was called to order at 5:32 pm.

2. Roll Call

Present 5 - Laura Simon, Carol Anderson, John Gergen, Joyce Warner, and Francesca Velluzzi

3. Approval of Agenda

**A motion was made by Anderson, seconded by Simon, that this be approved.
The motion carried by the following vote:**

Yes: 5 - Simon, Anderson, Gergen, Warner, and Velluzzi

Yes: 5 - Simon, Anderson, Gergen, Warner, and Velluzzi

4. Approval of Minutes

**A motion was made by Simon, seconded by Warner, that this be approved. The
motion carried by the following vote:**

Yes: 5 - Simon, Anderson, Gergen, Warner, and Velluzzi

Attachments: [Minutes August 2023](#)
[Minutes October 2023](#)

5. Public Comments on Agenda & Non-Agenda Items (3 minutes)

Mavis Benson - Lives and has a been business in Delray Beach. Was a member of the DDA for two terms and has knowledge the item coming

before the board. West Atlantic is starting to take off and when the Sundry Village project, Doc's project and another project on the way it will bring in more traffic. She asked that the board be mindful of the traffic issues that will occur.

6. New Business

Attachments: [PMAB - W Atlantic Neighborhood Sub-district Parking Exemption](#)

Joe Josemond - introduced Rebekah Dasari. The item is requesting a parking exemption on West Atlantic. Currently the mix use is for office to restaurant and commercial use area. They are asking for an extension to December 2026. There was a map that showed the area that is asking for the extension. It was adopted in 2017 and in 2020 it was extended for outdoor for use areas was adopted. At the time that the extension was approved it was based on the availability to on street parking and public parking. There was a map that was produced to show for the meeting. The parking is being used for multi use by the surrounding businesses. The item has been presented to the DDA board and now PMAB. The next step would be for the item to go in front of the Commission to pass first and second reading.

Carol Anderson - asked about a section on the map that was not explained.

Rebekah Dasari - mentioned that it was the West Settlers District that is not included on the exemption. And explained what the other sections are that not involved in the exemption.

Carol Anderson - Only the buildings enclosed in the lines are included. It was unclear why the sections were highlighted if they were not meant to be with exemption. Wanted more explanation on the exemption from 2017 and it include the existing buildings now if we pass again now would it include everything that has built up since then.

Rebekah Dasari - the exemption would not include new buildings only what is in existence.

Carol Anderson - mentioned that she believes there has been some new construction in that area and questioned that if they decide to change the purpose of the building they would not have to provide extra. And Rebekah was in agreement. Has the exemption encouraged new building in the past and will it cause parking issues in the future.

Rebekah Dasari - This is for the smaller existing building and it would be for the discretion of the boards and the Commission if there would be a

risk. The exemption would be reassess the area every three years. Within that three period the board could advise P&Z to stop offering the exemption.

Carol Anderosn - wanted to understand the assessment is only completed every three years. Ms. Anderson also mention that if the board believes it to be worthwhile then why not make it permanent.

John Gergen - Mr. Gergen was in favor of making the request permanent. Then went on to speaking directly to Carol Anderson saying you want to know why every three years. He mentioned that it is revaluated three years from now.

Carol Anderson - mention that every time a request for a waiver comes through parking is revaluated.

John Gergen - mentioned that yes of course we do and that is why the item is brought before the board.

Laura Simon - mentioned that the perimeters have been set.

Rebekah Dasari - Once the area changes its use then there may be added parking needed for use. Is asking the board for the courtesy for the West Atlantic area.

Joyce Warner - mentioned that from what she understood is that the request is for existing buildings. If new building were to come in the exemption would not apply. Rebekah did reply that it would not apply to the new buildings.

John Gergen - was a bit confused on that response so Laura Simon did clarify the response to him.

Joyce Warner - since this has been the history from 2017 to now for a need for parking. Does the board need exempt or the need for parking, what is the historical? Laura Simon did mention that was the same question of the DDA.

Rebekah Dasari - This a tool to encourage a business that may not be ready to build but start their business on a smaller scale. This would give the business the opportunity to use the space and it is not to encourage new builds.

Joyce Warner - If a new build was to come forward then they would have to provide the recommended parking that has been put into place.

Carol Anderson - this only apply's in the existing if the business has a change of usage.

Laura Simon - asked if the request is if the business changes from bar to restaurant. She also wanted to know what prompted the change.

Rebekah Dasari - The one example is Zyri's Restaurant, when the business added the outdoor seating they were not required to add the additional parking due to the exemption. They not only are a small business but they are a very busy one so there were no issues to add the outdoor seating. She also mentioned that Zyri's restaurant is the best example to use as to why the exemption should be extended.

Laura Simon - The restaurant pour & famous is vacant and is considered a restaurant. Would they be grandfathered in and if the item does not get approved would they have to provide parking. Francesca Velluzzi mentioned that it was a good question.

Rebekah Dasari - was not able to answer as she was not aware of the innovatory. So Laura Simon mentioned to use Zyri's as the example. Should someone that is already being provided the parking then she believes that they would be grandfathered in.

Laura Simon - should the item not move forward then she wanted to receive a better understanding of the item. She also mentioned from the DDA side there was concern due not a lot of new development to require the exemption and that there is now a lot of new development coming in and the concern would be that there is not a lot of adequate parking. The DDA did approve the item 4 to 3 as way to incentive in any way possible.

John Gergen - asked about the situation that happened when it was presented to the board.

Laura Simon - mentioned the DDA board was split 3-3 not to approve the item based on a lot development and the item was brought back to the DDA board and at the same time another board member showed up and the vote was approved 4-3. The hope is to use this as a tool for the businesses to incentives the business on West Atlantic. There are a lot of vacancies and the thought is that this incentive will provide more occupancies and assist the business. And is not sure that it is the best tool.

Carol Anderson - questioned if the exemption has been utilized. Maybe it is the exemption is not a good idea. The concern is that there a lot of

blocks with small shops are vacant along Atlantic. She believes that there is another developer that is buying the land and is wanting to create another Sundy Village or alike. And under the regulation exemption rule. Laura Simon and John Gergen mention that the developer would eligible for the exemption. Is mentioning that taking old building and refurbishing them into new building is that new or old.

Rebekah Dasari - It is on anything is existing any thing else would have to be reassessed. She believes that what Carl Anderson is asking if a new development is approved that would be automatically exempt.

Laura Simon - the concern the boards have is that there are new plans for development. The new studio across from the fire station and the Doc's area and with the CRA district. Should we take away parking we are not allowing enough parking. We are not allowing options for new businesses. The goal is to have businesses in Delray Beach for long term not just three years.

Carol Anderson - asked if anyone has connected with the SET group regarding the exemption if it a good idea. Laura Simon mentioned the SET were the ones who originally brought it forward.

Rebekah Dasari - mentioned that it was brought forward by the SET in 2017 to small building instead of knocking them down.

Carol Anderson - mentioned that she still believes it should be looked at case by case and that development will be happening. She questioned as to what is going to happen and what is going on with the vacant buildings.

Rebekah Dasari - The exemption is meant to help the buildings and all the other building should be able to park itself or the in lieu fees. But the in lieu fees me going away as the new buildings should be able to have enough parking.

Laura Simon - asked if the exemption could reviewed annually or verses three years from now.

Rebekah Dasari - Did say that the exemption could come back for review on an annual basis, but it would take a lot to get that processed through and does not believe that a lot of change would not happen within a year. But it could be added to the recommendation.

Carol Anderson - does believe that in certain areas the exemption could apply for a new business. If the new business does not need any extra parking then we certainly would have them pay. Can the fees be waived or

modify.

Laura Simon - mentioned that it would be a major process and that a small business may not want to do that. We are dealing with small business that can not afford dealing with the process for six months to year. This would be able to help the small businesses.

Carol Anderson - mentioned that we have waived the in lieu parking fees for businesses. Both John Gergen and Laura Simon responded to Ms. Anderson, saying that we have that it is with new development.

Rebekah Dasari - mentioned that those opportunities are in the higher end areas and there is a demand. Also the tenant can afford the in lieu processes, and Laura Simon mentioned this is for a really small scale business.

Carol Anderson - the person would have to follow the process, there is a lot more to the process and come in and go through the process. There is more to it.

Joyce Warner - Was asking about the area that the request is for. She is aware that it goes to 12th.

Rebekah Dasari - it runs between SW 12th Avenue on the west end and SW 4th on the south end.

Joyce Warner - mentioned that there is a parking garage in the area and can be utilized. Joe Josemond mentioned that the garage belongs to the county and that the City has an agreement to use the garage for special events.

Laura Simon - did mention that we could change the contract; however Joe Josemond mentioned that the agreement can not be changed and would have work with legal for that.

Joyce Warner - mentioned about the innovative solutions other than the exemption what other thoughts.

Rebekah Dasari - the mention of parking rates being too high this is not the direction of the staff.

Carol Anderson - are they going to do away with in lieu parking.

Rebekah Dasari - staff has been directed to prepare the documents for the Commission on how the in lieu will be utilized in the future.

Carol Anderson - mentioned that if the goal is to have a walk able downtown then there can be a bunch of parking. There has to be away to get people to utilize the parking garages and a shuttle service. Is the West Atlantic area being considered a walk able area like downtown?

Francesca Velluzzi - if the West Atlantic area is going to be another downtown area then metered parking should start from Swinton Ave all the way to I-95. Including the library, tennis center and the City Hall lot to do metered parking from 5pm on.

Rebekah Dasari - mentioned that the area has been slow to develop and would put the businesses at a disadvantage.

Laura Simon - asked if she was looking of a recommendation or what other action.

Rebekah Dasari - asked the board for a recommendation or comments

Carol Anderson - asked if the item was going to go in front of the Commission.

Rebekah Dasari - did mention that the item was going in front of the Commission for first reading on February 6, 2024.

John Gergen - there have been exemptions are meant to help to increase business on West Atlantic and has not helped since it is pretty vacant. Does believe that it will flourish but does not know when. But, also believes that it has not helped.

Rebekah Dasari - The exemption has helped some businesses like Zyri's.

Laura Simon - move forward with the incentive and what is the communication process with the residents in the area. Making sure the property owners are aware of the exemption. Rebekah Dasari did mention that she would get back to the board about that.

John Gergen - is not opposed to offering the exemption. Wants to look into on street parking on Atlantic and not get rid of the parking meters as they do not have anything to do with the in lieu parking. Does not believe that not charging anything for three years is not fair.

Rebekah Dasari - mentioned that it is not an from the in lieu fees. It is an exemption from the requirement.

Carol Anderson - allow a new restaurant to have the same amount of parking as a storage facility. Believes that it should be on a case by case basis and mentioned that not a lot of people are aware of the exemption. Moves to express the boards disagreement with the extension of West Atlantic Parking District parking extention.

John Gergen - asked for a second. Hearing none the motion was denied.

Laura Simon - asked if they wanted to make another motion to accept the exemption to 2026. A motion to move the recommendation board to extend the exemption date to 2026. Carol Anderson was unclear about the motion and Laura Simon explained that Ms. Anderson's was to deny and Ms. Simon's was to approve.

The board was needing clarification on what the next steps were.

Joyce Warner 2nd the motion.

Carol Anderson wanted to know where does that lead to. Rebekah mentioned that it is will be said that the board is not in favor 4 - 1.

There was a discussion with why the first motion did not pass when it was to deny but the second motion was approve and it failed.

A motion was made by Simon, seconded by Warner, that this Advisory Board Agenda Item be recommended for approval. The motion failed by the following vote:

Yes: 1 - Simon

No: 4 - Anderson, Gergen, Warner, and Velluzzi

Attachments: [2024 PMAB](#)

Dani Vega - mentioned to the board that the bylaws were to be updated every two years and the only change was instead waiting thirty minutes to

make quorum it will be fifteen minutes.

Carol Anderson - did make a note that on the document it listed four to make a quorum when it should have been three.

The board had a discussion about how may mak-up a quorum.

Dani Vega - mention that she will be make the amendments and the quorum is three.

Joyce Warner - made the motion to approve the bylaws as amended.

John Gergen tried to second the motion but because he is the chair he could not.

Laura Simon second the motion.

A motion was made by Warner, seconded by Simon, that this Advisory Board Agenda Item be approved. The motion carried by the following vote:

Yes: 5 - Simon, Anderson, Gergen, Warner, and Velluzzi

7. Old Business

Attachments: [Parking Data- December 2023](#)

Joe Josemond - went over the parking report with the board to show the numbers for December 2023. People are purchasing the parking passes and the discount code.

Carol Anderson - asked about the occupancy for Old School Square (OSS) which was not available but mentioned that the top parking has not been used by staff to park. She asked about the elevator.

Joe Josemond - replied that the elevator has been operational with some break downs that did not last long. And running during events.

Carol Anderson - also mentioned that the elevators must be checked on a regular basis. For those that are not able to be mobile

Joe Josemond - mentioned that there is someone that is on call when the elevators are not functioning.

8. Other Business

A. Comments by Board Members

Laura Simon - wanted to know if Joe Josemond wanted to go over the OSS maintenance work.

Joe Josemond - getting joints fixed and will not disturb

B. Comments by Staff

9. Adjournment

The meeting adjourned at 6:16 pm.