

**MINUTES
PLANNING AND ZONING BOARD
CITY OF DELRAY BEACH**

MEETING DATE: February 25, 2019

MEETING PLACE: Commission Chambers, City Hall

1. CALL

The meeting was called to order by Planning and Zoning Chair, Robin Bird at 6:00 P.M.

2. ROLL

A quorum was present. Members present were Kevin Osborn, Christina Morrison, Jim Knight, Julen Blankenship, Rob Long, Jay Jacobson, and Robin Bird. Absent were none. Staff present was William Bennett, Assistant City Attorney, Anthea Gianniotis, Principal Planner, Amy Alvarez, Senior Planner, Christine Stiver, Senior Planner and Diane Miller, Board Secretary.

3. MINUTES - Minutes were tabled to the meeting of March 25, 2019.

ALL IN FAVOR

4. APPROVAL OF AGENDA

Motion to approve the Agenda for February 25, 2019, was made by Christine Morrison and seconded by Kevin Osborn.

ALL IN FAVOR

5. SWEARING IN OF THE PUBLIC

Robin Bird 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. PRESENTATION - No Presentation

8. QUASI-JUDICIAL HEARING

A. Auto Nation Collision Center (2019-019)

Exparte- None

Staff Presentation

Christine Stivers entered the file into the record (2019-019)

Applicant Presentation

John Doogan, Avirom & Associates Inc.

Public Comment-None

Board Comments - None

Motion to **APPROVE** the Preliminary Plat and certification of the Final Plat for the Auto Nation Collision Center was made by Christina Morrison and seconded by Jim Knight.

MOTION CARRIED 7-0

B. Murphy Oil (2019-106)

Recommend to the City Commission regarding a request for a modification of a Conditional Use approval for a Convenience Mart (gas station with food sales) and to include a 24-hour operation.

Exparte: None

Staff Presentation

Christine Stivers entered the file into the records (2019-106)

**Applicant
Presentation**

Greenberg Farrow

Dustin Stevenson

Drew Boshears

Public Comments - None

Board Comments

Robin Bird - Stripping for handicap parking and stripping for walk way

Julen Blankenship - 24 hr. store; Full access; Stripping for walkway

Christina Morrison - 24 hr. store; Sell beer and wine; the tanks will be replaced
Kevin Osborn - Separation

Motion to recommend **APPROVAL** to the City Commission for Conditional Use modification for a convenience mart made by Jim Knight and seconded by Jay Jacobson.

MOTION CARRIED 7-0 with discussion:

Conditions:

Sidewalk & stripping will be looked at SPRAB meeting. Tanks & pipes will be replaced
discussed at SPRAB meeting.

Motion to recommend **APPROVAL** to the City Commission for the Conditional Use request for 24-hours operation made by Jim Knight and seconded by Jay Jacobson.

MOTION CARRIED 6-1, Dissenting Christina Morrison

C. Collier Car Club SAD (2019-060)

Recommendation to the City Commission regarding Ordinance No. 14-19 to rezone the property located at 777 South Congress Avenue from Mixed-Residential, Office, and Commercial (MROC) to Special Activities District (SAD)

Exparte: All board members talked to Michael Weiner and received emails.

Staff Presentation

Amy Alvarez entered the file into the records (2019-060)

Applicant Presentation

Michael Weiner

Bob Carlson - Kansas

Jason Weber-Kimley Horn

Frank Givens - COO - Naples,

Florida Scott George - Naples, Florida

Public Comment

Chris McInnis - Submitted a letter of concern

Rebuttal

Michael Weiner - Talked about "Spot Zoning"

Board Comments

Jay Jacobson - SAD explanation. What if they were to leave the property?

What happens to the exterior? Is it a car club on weekends or is it mostly interior use?

Robin Bird-Would like a list of uses. Mr. Gibson said that it would be for membership only.

Motion to recommend **APPROVAL** to the City Commission for a privately-initiated rezoning from Mixed Residential Office and Commercial to Special Activities District was made by Jim Knight and seconded by Christina Morrison.

MOTION CARRIED 7-0 with discussion to amend to 9 spaces inside.

9. LEGISLATIVE ITEMS – CITY INITIATED

A. Ordinance No. 02-19 LDR Amendment (2019-114)

A City-initiated amendment to the Land Development Regulations, Section 4.3.4 “Base District Development Standards” and Section 4.6.2 “Distance between Residential Buildings” to amend the basis for building height measurement.

Staff Presentation

Anthea Gianniotis entered the file into the records (2019-114)

Public Comments – None

MOTION to recommend **APPROVAL** of Ordinance No. 02-19, a City-initiated amendment Land Development Regulations, Section 4.3.4 “Base District Development Standards” and Section 4.6.2 “Distance between Residential Buildings” to amend the basis for building height measurement; and, amending Appendix A “Definitions” to add definitions for “Base Flood Elevation,” “Finished Grade Elevation,” and “Freeboard,” and to remove the definition of “Grade,” by adopting the findings of fact and law contained in the staff report and finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Section 2.4.5(M) was made by Christina Morrison and seconded by Kevin Osborn.

MOTION CARRIED 7-0.

B .Ordinance No. 09-19 LDR Amendment (2019)

A. Provide a recommendation to the City Commission regarding Ordinance No. 09-19, a City-initiated request to amend Land Development Regulations Section 4.4.13 (K), “CBD Review and Approval Process,” and Section 4.5.6, “The West Atlantic Avenue Overlay District,” of the Land Development Regulations

Staff Presentation

Anthea Gianniotis entered the file into the records (2019-115)

Public Comments – None

MOTION to recommend **APPROVAL** of Ordinance 09-19 amending Section 4.4.13 (K), “CBD Review and Approval Process,” and Section 4.5.6, “The West Atlantic Avenue Overlay District,” of the Land Development Regulations, by adopting the findings of fact and law contained in the staff report and finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Section 2.4.5(M) was made by Jim Knight and seconded by Kevin Osborn.

MOTION CARRIED 7-0

10. REPORTS AND COMMENTS

A. Staff

- Next meeting is March 25th
- No packages/hard copies for next meeting.

C. Board -No Comments

D. Attorney- No Comments

11. ADJOURNED – 830pm

The undersigned is the Secretary of the Planning & Zoning Board and the information provided herein is the Minutes of the meeting of said body for **January 28, 2019** which were formally adopted and approved by the Board on _____.

Diane Miller

Diane Miller

If the Minutes you have received are not completed as indicated above, then this means that these are not the official Minutes. They will become so after review and approval, which may involve some changes.

(These Minutes are a record of the proceedings of this Board. The full audio and video recording of these proceedings are available:

www.mydelraybeach.com/city-commission/av or a digital copy may be purchased at City Hall.)