

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

MEETING DATE: November 17, 2025

MEETING PLACE: City Commission Chambers

1. CALL TO ORDER

This meeting was called to order by Gregory Snyder, Chair at 5:03 pm.

2. ROLL CALL

A quorum was present at call to order.

Members Present: Gregory Snyder, Chair; Jim Chard 2nd Vice Chair; Mitch Katz; Judy Mollica; and Roger Cope.

Members Absent: Price Patton, Vice Chair (arrived at 5:20pm); Dedrick Straghn (arrived at 5:05pm).

Staff Present: Daniela Vega, Staff Assistant City Attorney; Rebekah Dasari, Principal Planner; Madison Brown, Development Permits Manager; Alexis Rosenberg, Senior Planner; Susana Rodrigues, Senior Planner; Rafik Ibrahim, Principal Planner; and Diane Miller, Board Secretary.

3. APPROVAL OF AGENDA

Motion to APPROVE the amended agenda of November 17, 2025, meeting was made by Mitch Katz and seconded by Roger Cope.

MOTION CARRIED 5-0

4. MINUTES

None.

5. SWEARING IN OF THE PUBLIC

Gregory Snyder, Chair, read the Quasi-Judicial Rules for the City of Delray Beach and Diane Miller, Board Secretary, swore in all who wished to give testimony.

Dedrick Straghn arrived at 5:05pm.

6. COMMENTS FROM THE PUBLIC

None.

7. PRESENTATIONS

None.

8. QUASI-JUDICIAL HEARING ITEMS

A. Atlantic Crossing (File No. PZ-000182-2025): Provide a recommendation to the City Commission on a waiver request to reduce the required front setback from 5 feet to 2 feet and 6 inches along a portion of Building IV-S adjacent to NE 7th Avenue, associated with a Level 1 Site Plan modification for Atlantic Crossing.

Address: 777 East Atlantic Avenue (Phase II, Building IV-S)

PCN: 12-43-46-16-P7-001-0020

Owner: Kim Ulle, VP, Edwards Intracoastal, LLC

Applicant: David Goth, Lupton Rausch Architecture + Interior Design

Agent: Bryce Hall, Kephart

Planner: Susana Rodrigues, Senior Planner

Susana Rodrigues, Senior Planner, entered File No. PZ-000182-2025 into the record.

Ex Parte Communication

Roger Cope-None.

Judy Mollica-None.

Derrick Straghn-None.

Jim Chard-None.

Mitch Katz-Served on the City Commission during the settlement agreement that approved the project and spoke with the mayor.

Gregory Snyder-Visited the site.

Applicant Presentation

Bryce Hall of Kephart presented the applicant request.

Staff Presentation

Susana Rodrigues, Senior Planner, presented an overview and analysis of the request.

Public Comments

None.

Rebuttal/Cross Examination

None.

Price Patton arrived at 5:20pm.

Board Comments

Mr. Cope, Ms. Mollica, and Mr. Patton spoke in favor of the request.

Mr. Chard inquired if the change impacts 2-way traffic on NE 7th Avenue.

Mr. Hall answered that there would be no impact by this waiver request.

Mr. Chard asked for clarification regarding the limits imposed by settlement agreement. Ms. Rodrigues explained that Staff are referencing the 2013 LDRs when addressing this project as that was what was in effect when the project was approved.

Mr. Katz expressed concerns regarding the size of the port cochere.

Mr. Snyder inquired why the size of the building was not reduced, rather than the subject request for relief.

MOTION to recommend **approval** to the City Commission of the waiver request for **Atlantic Crossing** (File No. PZ-182-2025), located at 777 East Atlantic Avenue, to reduce the required front setback from 5 feet to 2 feet and 6 inches along a portion of Building IV-S adjacent to NE 7th Avenue, associated with a Level 1 Site Plan modification, by finding that the request meets the criteria set forth in the Land Development Regulations was made by Roger Cope and seconded by Judy Mollica.

MOTION CARRIED 7-0

B. Conklin Car Wash (File No. 2025-109) and (File No. 2025-110): Provide a recommendation to the City Commission on a request for a Level 4 Site Plan, including a Conditional Use (Resolution No. 210-25) approval to construct a 4,207 square foot automatic car wash at 14145 South Military Trail.

Address: 14145 South Military Trail

PCN: 12-42-46-14-03-002-0010

Applicant/ Owner: Jeff Fazio, Fazio Consulting, LLC / Andella Holdings, LLC

Agent: Bradley Miller, AICP, Urban Design Studio

Planner: Alexis Rosenberg, Senior Planner, Alexia Howald, Senior Planner

Alexia Howald, Senior Planner, entered File No. 2025-109 and File No. 2025-110 into the record.

Ex Parte Communication

Roger Cope-Received a petition and message from Mr. Scott, as well as emails.

Judy Mollica- Received a petition and letters, spoke with Mr. Scott, visited the site and spoke with neighbors.

Dedrick Straghn-Received letters.

Price Patton-Received a petition and letters.

Jim Chard-Drove by the site, spoke with the applicant's attorney, and received a petition. Mitch Katz-Met with the applicant, applicant's attorney, land use architects, neighbors, the farm on Conklin, received letters, and drove by the site.

Gregory Snyder-Visited the site.

Applicant Presentation

Matthew Scott of Greenspoon Marder LLP presented the applicant request.

Staff Presentation

Alexia Howald, Senior Planner, presented an overview and analysis of the request.

Public Comments

Harry Voegel, Zip Code 33484, stated his formal objection to the request.

David D'Amico, Zip Code 33484, spoke on behalf of the Sierra Vista HOA, stating concerns over quality of life, traffic congestion, and property values.

Barbara McCabe, Zip Code 33484, spoke in opposition to this project, stating concerns of traffic and noise.

Mike Caruso, Zip Code 33484, spoke in opposition to this project, citing concerns of traffic.

Ethel Dodson, Zip Code 33484, spoke in opposition to this project, stating concerns of traffic.

Natalie Vendemini, Zip Code 33484, spoke in opposition to this project, citing environmental concerns.

Robert Burkland, Zip Code 33484, spoke in opposition to this project, stating concerns of traffic.

Jeff Overstreet, Zip Code 33484, spoke in opposition to this project, citing concerns of health, safety, & traffic.

Jackie Whartman, Zip Code 33484, spoke in opposition to this project.

Lauren Richards, Zip Code 33484, spoke in opposition to this project, stating concerns of noise and quality of life.

Lynn Holtzman, Zip Code 33484, spoke in opposition to this project.

Eric Calcagno, Zip Code 33484, spoke in opposition to this project, citing concerns of traffic.

Frank Dilanti, Zip Code 33485, spoke in opposition to this project, noting noise and traffic concerns.

Marcy Weiss, Zip Code 33484, spoke in opposition to this project.

Nongae Johnson, Zip Code 33484, spoke in opposition to this project citing traffic concerns.

Rebuttal/Cross Examination

Mr. Scott explained the applicant is respectful of residents' concerns and worked with City Staff to exceed code in all respects to get ahead of potential impacts.

Mr. Ibrahim clarified that the use presented in these applications is not allowed by right, requiring a Conditional Use application, the final decision of which is up to the board. He

noted that the public notices were sent 11/4/2025 which is in line with the 10-day requirement in the Land Development Regulations.

Board Comments

Mr. Chard inquired about the wastewater process, noise levels, and traffic increases.

Mr. Patton asked if the sound plan includes all 19 vacuums being used at once.

Mr. Straghn inquired about the process by which approval or denial should be granted for Conditional Use.

Mr. Ibrahim answered that if the board finds that the main findings are met, they can grant approval but can impose additional conditions of approval.

Ms. Mollica stated her concerns regarding traffic safety.

Mr. Cope inquired if any of the existing trees would be saved and if the applicant explored other locations for the dumpster.

Mr. Katz noted safety concerns with traffic.

Mr. Snyder added his concerns regarding noise, light, and traffic.

MOTION to Deny a Level 4 Site Plan Application with Architectural Elevations and Landscape Plan, and including a Conditional Use (Resolution No. 210-25) to allow a 4,207 square foot automatic car wash at 14145 South Military Trail, by finding that the request and approval thereof is not consistent with the Comprehensive Plan and does not meet criteria set forth in the Land Development Regulations, was made by Mitch Katz and seconded by Price Patton.

MOTION CARRIED 5-2 with Dedrick Straghn and Roger Cope dissenting.

C. Fifth Third Bank (File No. PZ-000014-2025 & PZ-000015-2025): Provide a recommendation to the City Commission on a Level 4 Site Plan Modification, with Architectural Elevations and Landscape Plan, for Fifth Third Bank to demolish the existing building at 1820 South Federal Highway and to construct a one-story standalone branch bank with a drive-thru, and an associated waiver to reduce the minimum floor area from 6,000 square feet to 2,578 square feet pursuant to LDR Section 4.4.12(F)(2).

Address: 1820 South Federal Highway

PCN: 12-43-46-28-11-002-0020

Owner: 1820 Federal Delray LLC

Agent: Nisit Sapparkhao, Infinity Engineering Group LLC

Planner: Susana Rodrigues, Senior Planner

Susana Rodrigues, Senior Planner, entered File No. PZ-000014-2025 & File No. PZ-000015-2025 into the record.

Ex Parte Communication

Roger Cope-None.

Judy Mollica-Spoke with Mr. Scott.

Dedrick Straghn-Drove by the site.

Price Patton-None.

Jim Chard-Drove by the site and spoke with Mr. Scott.

Mitch Katz-Drove by the site and spoke with Mr. Scott.
Gregory Snyder-Drove by the site.

Applicant Presentation

Tim Loken of BDG Architects presented the applicant request.

Staff Presentation

Susana Rodrigues, Senior Planner, presented an overview and analysis of the request.

Public Comments

None.

Rebuttal/Cross Examination

None.

Board Comments

Mr. Cope noted his satisfaction with the design and layout of the project.

Ms. Mollica, Mr. Straghn, and Mr. Patton spoke in favor of this project.

Mr. Chard inquired if any of the existing trees would be saved.

Mr. Cunningham explained that the existing trees are dying and cannot be reused.

Mr. Katz spoke in favor of the waiver and the greenery proposed on this project.

Mr. Snyder spoke in favor of this project.

MOTION to recommend to the City Commission approval of a Level 4 Site Plan Modification, with Architectural Elevations and Landscape Plan, for Fifth Third Bank to demolish the existing building at 1820 South Federal Highway and to construct a one-story standalone branch bank with a drive-thru, with an associated waiver to reduce the minimum floor area from 6,000 square feet to 2,578 square feet pursuant to LDR Section 4.4.12(F)(2), by finding that the request is consistent with the Land Development Regulations and the Comprehensive Plan, was made by Mitch Katz and seconded by Jim Chard.

MOTION CARRIED 7-0

D. Woof Gang Bakery and Grooming, (File # PZ-000322-2025): Provide a recommendation

to the City Commission on Resolution No. 237-25, a Conditional Use request to allow a pet services establishment (Woof Gang Bakery and Grooming) at 5048 West Atlantic Avenue.

Address: 5048 W. Atlantic Avenue

Applicant: Petfriend, Inc, DBA Woof Gang Bakery & Grooming

Agent: Erica Hurst

Planner: Rebekah Dasari, AICP, Principal Planner

Rebekah Dasari, Principal Planner, entered File No. PZ-000322-2025 into the record.

Ex Parte Communication

Roger Cope-None.

Judy Mollica-Drove by the site.

Dedrick Straghn-None.

Price Patton-None.

Jim Chard-Drove by the site.

Mitch Katz-Drove by the site.

Gregory Snyder-Drove by the site and looked in the window.

Applicant Presentation

Erica Hurst of Woof Gang Bakery presented the applicant request.

Staff Presentation

Rebekah Dasari, Principal Planner, presented an overview and analysis of the request.

Public Comments

None.

Rebuttal/Cross Examination

None.

Board Comments

Mr. Katz spoke in favor of this project.

Mr. Chard inquired about sound buffering.

Ms. Hurst replied that the firewall is enough to buffer sound.

Mr. Patton asked about the solid waste listed in the Staff Report as 10.2 lbs. of waste per year.

Ms. Dasari confirmed that it was a typographical error and should read 10.2 lbs. of waste per square foot per year.

Mr. Snyder spoke in favor of the project.

MOTION to recommend approval to the City Commission of a Conditional Use request for Woof Gang Bakery and Grooming to provide pet services at 5048 West Atlantic Avenue, finding that the request is consistent with the Land Development Regulations and the Comprehensive Plan was made by Jim Chard and seconded by Judy Mollica.

MOTION CARRIED 7-0

9. LEGISLATIVE ITEMS

A. Amendment to the Land Development Regulations, Mooring Facilities (File PZ-000246-2025): Provide a recommendation to the City Commission on Ordinance No. 12-25, a City-initiated amendment to amend Article 7.9, "Docks, Dolphins, Finger Piers, and Boat Lifts," repealing and replacing the existing regulations in their entirety, and provide a recommendation on Ordinance No. 30-25, amending accessory use regulations in certain residential zoning districts in Article 4.4, "Base Zoning District" for consistency with Article 7.9, and by adopting new definitions for docks, finger piers, marinas, and dolphins

in Appendix A, "Definitions."

Applicant: City of Delray Beach

Planner: Madison Brown, Development Permits Manager

Madison Brown, Development Permit Manager, entered File No. PZ-000246-2025 into the record.

Staff Presentation

Madison Brown, Development Permit Manager, presented an overview and analysis of the request.

Board Comments

Mr. Patton, Mr. Straghn, and Ms. Mollica spoke in favor of this amendment.

Mr. Cope asked what a 'dolphin' is.

Ms. Brown answered that a dolphin is a group of pilings.

Mr. Cope asked what agency a resident would first file a permit with if the resident wants to build a dock.

Ms. Brown answered that an approval from the Department of Environmental Protection for a Self-Exempt Regulatory Permit is required, this will determine if approval from the Army Corp of Engineers is also required, prior to a resident applying for a building permit with the City.

Mr. Chard and Mr. Snyder asked where the measurement starts for piers and docks.

Ms. Brown replied that measurement starts at the wet face of the property line.

MOTION to recommend approval to the City Commission on Ordinance No. 30-25, a City-initiated amendment to amend certain zoning districts in Article 4.4, "Base Zoning District" for consistency with Article 7.9, and by adopting new definitions for docks, finger piers, marinas, and dolphins in Appendix A, "Definitions," by finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in Land Development Regulations was made by Mitch Katz and seconded by Judy Mollica.

MOTION CARRIED 7-0

MOTION to recommend approval to the City Commission on Ordinance No. 12-25, a City-initiated amendment to Article 7.9, "Docks, Dolphins, Finger Piers, and Boat Lifts," repealing and replacing the existing regulations in their entirety, by finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in Land Development Regulations was made by Mitch Katz and was seconded by Jim Chard.

MOTION CARRIED 7-0

B. Amendment to the Land Development Regulations, Lots of Record (File PZ-000166-2025): Provide a recommendation to the City Commission on Ordinance No. 25-25, a City-initiated amendment to Section 1.3.2, "Nonconforming Lots of Record," Section 4.1.4, "Use of Lots of Record," Section 4.3.1, "Application of District Regulations," Section

4.4.3, "Single Family Residential (R-1) Districts," Section 4.7.8, "Other Incentives," and Appendix A, "Definitions," to amend regulations related to the use of lots of record. Applicant: City of Delray Beach Planner: Rebekah Dasari, AICP, Principal Planner; Barbara Pinkston, Senior Planner

Rebekah Dasari, Principal Planner, entered File No. PZ-000166-2025 into the record.

Staff Presentation

Rebekah Dasari, Principal Planner, presented an overview and analysis of the request.

Board Comments

Mr. Chard asked if Staff were looking for a recommendation on which language to use for the Ordinance.

Ms. Dasari answered in the affirmative.

Mr. Straghn inquired on the difference between the two suggested options.

Mr. Snyder expressed his support for the more liberal language.

MOTION to recommend approval to the City Commission of Ordinance No. 25-25, a City-initiated amendment to the Land Development Regulations (LDR), amending Section 1.3.2, "Nonconforming Lots of Record," Section 4.1.4, "Use of Lots of Record," Section 4.3.1, "Application of District Regulations," Section 4.4.3, "Single Family Residential (R-1) Districts," Section 4.7.8, "Other Incentives," and Appendix A, "Definitions" to amend regulations related to the use of lots of record, finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in Land Development Regulations, with the condition that the definition of a lot of record will be a lot that is 1. part of a sub-division recorded in the office in Clerk of the Circuit Court of Palm Beach County Florida or 2. a parcel of land defined by meets and bound that was previously developed and has existed in its current configuration since October 1 1990, whenever a portion of an existing lot of record is replated and contained in a new plat, that portion of the lot on the original plat which that has been replated and included in the new plat shall not be considered a lot of record and shall not be presumed to satisfy the definition of lot in the LDR or by Florida Statute 177.031 was made by Gregory Snyder and seconded by Mitch Katz.

MOTION CARRIED 7-0

C. Amendment to the LDR, Reasonable Accommodations (File #PZ-000325-2025): Provide a recommendation to the City Commission on Ordinance No. 37-25, amending Section 2.4.11, "Relief," Subsection (E), "Requests for Accommodation," of the Land Development Regulations, to update its procedures for handling and processing requests for reasonable accommodations, in order to comport with recent changes to State Law adopted with Senate Bill 954 (2005). Applicant: City of Delray Beach

Rebekah Dasari, Principal Planner, entered File No. PZ-000325-2025 into the record.

Staff Presentation

Rebekah Dasari, Principal Planner, presented an overview and analysis of the request.

Board Comments

None.

MOTION to recommend approval to the City Commission of Ordinance No. 37-25, a City-initiated amendment to Section 2.4.11, "Relief," Subsection (E), "Requests for Accommodation," of the Land Development Regulations, to update its procedures for handling and processing requests for reasonable accommodations, in order to comport with recent changes to State Law adopted with Senate Bill 954 (2025), finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations was made by Mitch Katz and seconded by Judy Mollica.

MOTION CARRIED 7-0

10. REPORTS AND COMMENTS

A. CITY STAFF

Ms. Dasari noted the board has been provided with the list of 2026 meeting dates and the next meeting is December 15, 2025.

B. BOARD ATTORNEY

None.

C. BOARD COMMENTS

Mr. Katz noted that in the Industrial and MIC zones gun ranges are allowed with no conditions. He asked that City Staff do a zoning in progress, so no new applications be approved.

Ms. Mollica added that she was told by staff that the City Commission would need to make this request.

11. ADJOURN

There being no further business to come before the Board, the meeting was adjourned at **10:00 pm.**

The undersigned is the Board Secretary of the Planning and Zoning Board, and the information provided herein is the Minutes of the meeting of said body for **November 17, 2025**, which were formally adopted and APPROVED by the Board on_____.

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 Planning and Zoning Board. They will become official minutes only after review and approval, which may involve some amendments, additions, or deletions.