

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000 - Fax: (561) 243-3774

www.mydelraybeach.com



Regular Commission Meeting

Regular Meeting at 6:00 PM

Tuesday, March 6, 2018

Commission Chambers
Delray Beach City Hall

City Commission

Mayor Cary Glickstein

Vice Mayor Jim Chard

Deputy Vice Mayor Shirley Ervin Johnson

Commissioner Shelly Petrolia

Commissioner Mitchell Katz

RULES FOR PUBLIC PARTICIPATION

PUBLIC COMMENT: City Commission meetings are business meetings and the right to limit discussion rests with the Commission. **Generally, remarks by an individual will be limited to three minutes or less.** The Mayor, presiding officer or a consensus of the City Commission has discretion to adjust the amount of time allocated.

Public comment shall be allowed as follows:

- A.** Comments and Inquiries on Non-Agenda and Agenda Items (excluding public hearing or quasi-judicial hearing items) from the Public: Any citizen is entitled to be heard concerning any matter within the scope of jurisdiction of the Commission under this section. The Commission may withhold comment or direct the City Manager to take action on requests or comments.
- B.** Public Hearings/Quasi-Judicial Hearings: Any citizen is entitled to speak on items under these sections at the time these items are heard by the Commission.
- C.** All persons desiring to do a presentation on agenda or non-agenda items that are on a portable flash drive device or a CD/DVD, must provide their media to the City Clerk no later than 12:00 p.m. one day prior to the meeting where they wish to present.

SIGN IN SHEET: Prior to the start of the Commission Meeting, individuals wishing to address the Commission should sign in on the sheet located on the right side of the dais. If you are not able to do so prior to the start of the meeting, you may still address the Commission. The primary purpose of the sign-in sheet is to assist staff with record keeping. Therefore, when you come up to the to speak, please complete the sign-in sheet if you have not already done so.

ADDRESSING THE COMMISSION: At the appropriate time, please step up to the lectern and state your name and address for the record. All comments must be addressed to the Commission as a body and not to individuals. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the Commission shall be barred by the presiding officer from speaking further, unless permission to continue or again address the Commission is granted by a majority vote of the Commission members present.

APPELLATE PROCEDURES

Please be advised that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is based. The City neither provides nor prepares such record.

1. ROLL CALL**2. PLEDGE OF ALLEGIANCE TO THE FLAG****3. AGENDA APPROVAL****4. PRESENTATIONS:****4.A. PRESENTING JENNIFER COSTELLO, COMMUNITY IMPROVEMENT PROJECT ADMINISTRATOR, WITH EMPLOYEE OF THE MONTH FOR MARCH 2018.**

Recommendation: Motion to approve Jennifer Costello as Employee of the Month for March 2018.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Memo](#)
[Jennifer Costello Nomination form](#)

4.B. FREEDOMS FOUNDATION PRESENTATION

Sponsors: City Clerk Department

Attachments: [Agenda Cover Memo](#)

4.C. HONORING MAYOR GLICKSTEIN FOR HIS SUPPORT OF PALM BEACH COUNTY SCHOOLS

Sponsors: Community Improvement

Attachments: [Agenda Cover Memo](#)

5. COMMENTS AND INQUIRIES ON AGENDA AND NON-AGENDA ITEMS FROM THE PUBLIC- IMMEDIATELY FOLLOWING PRESENTATIONS:

5.A. City Manager's response to prior public comments and inquiries

5.B. From the Public

6. CONSENT AGENDA: City Manager Recommends Approval**6.A. APPROVAL OF MINUTES**

Recommendation: Motion to approve various sets of meeting minutes as listed below:

December 5, 2017 Regular Meeting

Sponsors: City Clerk Department

Attachments: [Agenda Cover Memo](#)
[December 5, 2017 Meeting Minutes](#)

6.B. CONSIDERATION OF A FINAL PLAT FOR KOLTER HOTEL DELRAY, LOCATED AT THE NORTHEAST CORNER OF SE 6TH AVENUE AND SE 2ND STREET.

Recommendation: Move approval for the Final Plat for Kolter Hotel Delray by adopting the findings of fact and law contained in the staff report and finding that the request and approval thereof is consistent with the criteria set forth in Section 2.4.5(J), Major Subdivision of the Land Development Regulations, subject to the following condition:

1. That an easement is dedicated to FPL by separate instrument to cover the proposed transformer to be located at the southeast corner of the site and that such easement is recorded prior to the issuance of the first Certificate of Occupancy.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Memo](#)
[Reduced Plat Exhibit](#)
[Location Map](#)
[Planning and Zoning Board Staff Report](#)

6.C. RESOLUTION NO. 14-18 APPROVING THE COMMUNITY AESTHETIC FEATURE AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION IN ORDER TO CREATE A PUBLIC ART MURAL ON A SOUND WALL LOCATED ON I-95 AT THE COMMUNITY GROVE AT CATHERINE STRONG PARK AT THE INTERSECTION OF SW 6TH STREET AND SW 17th AVE.

Recommendation: Motion to approve and authorize the Mayor to execute the Community Aesthetic Feature Agreement with the Florida Department of Transportation in order to create a public art mural on the backside of the soundwall located at I-95 at the Community Grove at Catherine Strong Park at the intersection of SW 6th Street and SW 17th Avenue in Delray Beach, Florida.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Memo](#)
[Legal Review Checklist CAFA](#)
[CAFA Form 625-010-10 ver 9-15-2017 \(SF1-16-18\) CAO rev - Feb2018](#)
[I95 SOUND WALL MURAL COMPLETE CALL TO ARTISTS 12-19-17 \(002\)](#)
[RESOLUTION NO 14-18- sound wall CAO rev - Feb 2018\(2\)](#)

6.D. TERMINATION OF TWO AGREEMENTS WITH SEACOAST EMBROIDERY, INC. DBA SEACOAST UNIFORMS AND APPROVAL OF AN AGREEMENT WITH GALLS, LLC FOR PUBLIC SAFETY PERSONNEL UNIFORMS AND EQUIPMENT UTILIZING THE BROWARD SHERIFF'S OFFICE CONTRACT NO. 14036AG

Recommendation: Motion to terminate Contract Nos. 2016-012 and 2016-020 with Seacoast Embroidery, Inc. dba Seacoast Uniforms, to approve an Agreement with Galls, LLC for public safety uniforms and equipment in an annual amount not-to-exceed \$315,000 utilizing the Broward Sheriff's Office Contract No.

14036AG.

Sponsors: Fire Rescue Department and Police Department

Attachments: [Agenda Cover Memo](#)
[Broward County Contract# 14036AG](#)
[2016-012 Contract Termination, Seacoast](#)
[2016-020 Contract Termination, Seacoast](#)
[Legal Review ChecklistLW](#)
[P2018-004 Public Safety Uniforms and Accessories Agreement, Vendor Execut](#)

6.E. APPROVAL OF AMENDMENT NO. 1 WITH TANNER INDUSTRIES, INC. TO RENEW THE AGREEMENT TERM FOR ANHYDROUS AMMONIA

Recommendation: Motion to approve Amendment No. 1 to the Agreement with Tanner Industries, Inc. for anhydrous ammonia in an amount not-to-exceed \$58,000 through April 1, 2019, and authorize the City Manager to execute all remaining options to renew.

Sponsors: Utilities Department

Attachments: [Agenda Cover Memo](#)
[2015-09 Amendment No. 1, Vendor Executed](#)
[Legal Review Checklist Amd No1 for Tanner Anhydrous Ammonia bid 2015-09](#)
[Tanner Executed Contract](#)

6.F. RATIFICATION OF AN EMERGENCY PURCHASE TO MBR CONSTRUCTION, INC. FOR DEBRIS MANAGEMENT SERVICES FOLLOWING HURRICANE IRMA

Recommendation: Motion to ratify an emergency purchase to MBR Construction, Inc. in the amount of \$271,872.91 for debris management services following Hurricane Irma.

Sponsors: Public Works Department

Attachments: [Agenda Cover Memo](#)
[Support Documentation](#)

6.G. TERMINATE ACCOUNTS RECEIVABLES, INC. (ARI) FOR COLLECTION OF THE CITY'S CONSUMER DEBT

Recommendation: Motion to terminate Accounts Receivables, Inc. (ARI) with 30 days notice.

Sponsors: Finance Department

Attachments: [Agenda Cover Memo](#)
[ARI, Inc Debt Collections Signed Agree June 1 2016](#)
[Termination Letter 02232018](#)

6.H. SETTLEMENT IN THE CASE OF SHERYL GROOVER-LOCKET V. CITY OF DELRAY BEACH

Recommendation: Motion to settle the case of Sheryl Groover-Locket v. City of Delray Beach for the reasons discussed in the confidential memorandum previously

distributed to the City Commission.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Memo](#)

6.I. PROCLAMATIONS:

6.I.1. ALL PEOPLE'S DAY PROCLAMATION

Sponsors: City Clerk Department

Attachments: [Agenda Cover Memo](#)
[Proposed Proclamation - Delray Beach 2018](#)

6.J. REPORT OF APPEALABLE LAND USE ITEMS FROM JANUARY 22, 2018 THROUGH FEBRUARY 2, 2018

Recommendation: By motion, receive and file this report.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Memo](#)
[City Commission Map 03-6-18.pdf](#)
[A - The Guitar Center .pdf](#)
[B - Saltwater Brewery .pdf](#)

6.K. AWARD OF BIDS AND CONTRACTS:

6.K.1. APPROVAL OF A ONE-YEAR AGREEMENT WITH FIRST TRANSIT, INC. TO PROVIDE TROLLEY OPERATION SERVICES IN A TOTAL AGREEMENT VALUE NOT-TO-EXCEED \$365,000

Recommendation: Motion to approve a one-year Agreement with First Transit, Inc. to provide trolley operation services in a total Agreement value not-to-exceed \$365,000.

Sponsors: Public Works Department - Programs & Project Management

Attachments: [Agenda Cover Memo](#)
[Legal Review Checklist First Transit Trolley service](#)
[Trolley Services Bid Waiver Agreement, Contractor Executed](#)

7. REGULAR AGENDA:

7.A. RESOLUTION NO. 15-18: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, CALLING ON THE STATE OF FLORIDA, GOVERNOR RICK SCOTT, PRESIDENT DONALD TRUMP, AND THE FEDERAL GOVERNMENT TO REDUCE GUN VIOLENCE IN AMERICA AND HELP PREVENT FUTURE SHOOTINGS BY BANNING MILITARY-STYLE WEAPONS AND HIGH CAPACITY MAGAZINES; REQUIRING A RIGOROUS BACKGROUND CHECK FOR EVERY FIREARM SALE; SUPPORTING RAISING THE AGE FOR LEGAL PURCHASE OF FIREARMS, MAGAZINES AND AMMUNITION TO 21; SUPPORTING THE PASSAGE OF

COMPREHENSIVE LAWS TO ADDRESS THE GROWING CONCERNS ASSOCIATED WITH GUN VIOLENCE; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Recommendation: Motion to approve Resolution No. 15-18 requesting legislation to reduce gun violence to help prevent future gun-related tragedies in our community.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Memo](#)
[Resolution 15-18 Gun control](#)

7.B. RESOLUTION NO. 09-18: ABANDONMENT OF AN IMPROVED PUBLIC ALLEY WITHIN BLOCK 69 ASSOCIATED WITH MIDTOWN DELRAY (fka SWINTON COMMONS)

Recommendation: Motion to Approve Resolution No. 09-18 for the abandonment of the east-west portion of the alley right-of-way located within Block 69, associated with the Midtown Delray development, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.6(M)(5) of the Land Development Regulations, subject to the following conditions:

1. That the abandonment is not effective until:
 - a. The 20' right-of-way dedication to extend the north/south alley to SE 1st Street is recorded; and,
 - b. That the replacement alley (condition #1) is paved to SE 1st Street.
2. That an associated site plan is approved and certified within one year of the approval of the alley abandonment. If the associated site plan is not approved, then the abandonment, if recorded, shall revert to the City, and if not yet recorded, then the abandonment approval shall be void.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Memo](#)
[Midtown Delray \(fka Swinton Commons\) block 69 Planning and Zoning Board S BLOCK 69 APPLICATION AND ATTACHMENTS](#)
[BLOCK 69 SURVEY](#)
[Revised Resolution Block 69 Abandonment](#)

7.C. RESOLUTION NO. 10-18: ABANDONMENT OF THE ALLEY IN BLOCK 61, TOWN OF LINTON, ASSOCIATED WITH THE PROPOSED MIDTOWN DELRAY DEVELOPMENT, LOCATED ON THE SOUTH SIDE OF WEST ATLANTIC AVENUE BETWEEN SOUTH SWINTON AVENUE AND SW 1ST AVENUE.

Recommendation: Motion to Approve Resolution No. 10-18 to abandon the alley right-of-way within Block 61 of the Town of Linton Plat, by adopting the findings of fact and law contained in the Staff report, and finding that the request and

approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.6(M)(5) of the Land Development Regulations, subject to the following conditions:

1. A Unity of Title for Block 61 be recorded and a certified copy be submitted to the Planning, Zoning, and Building Director within 60 days of this action;
2. A Pedestrian Easement for the north/south portion of the alley right-of-way within Block 61 be accepted by the City Commission prior to site plan certification;
3. A Vehicular Easement for the east/west portion of the alley right-of-way within Block 61 be accepted by the City Commission prior to site plan certification.
4. The alley abandonment shall not be recorded until an associated site plan for the entire block is approved and certified, the unity of title is recorded, and the referenced easements are recorded.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Memo](#)
[Midtown Delray Block 61 Alley Abandonment -10/17/16 PZB Staff Report](#)
[Block 61 Application and Attachments](#)
[Block 61 Survey](#)
[Vehicular Easement Deed Draft](#)
[Pedestrian Ingress and Egress Easement Deed Draft](#)
[Revised Resolution No 10-18 Block 61 Abandonment](#)

7.D. WAIVER REQUESTS TO LDR SECTION 4.4.24(F)(4) TO ALLOW BUILDING WIDTHS OF 71' 6", and 81' 4" ASSOCIATED WITH THE MIDTOWN DELRAY PROJECT WHERE A MAXIMUM WIDTH OF 60' FEET IS PERMITTED IN THE OLD SCHOOL SQUARE HISTORIC ARTS DISTRICT (OSSHAD). (QUASI-JUDICIAL HEARING)

Recommendation: Motion to approve the waiver to LDR Section 4.4.24(F)(4) to allow building widths of 71' 6", and 81' 4", where a maximum width of 60' is permitted in the Old School Square Historic Arts District (OSSHAD), for two buildings associated with the Midtown Delray project, based on a positive finding with respect to LDR Section 2.4.7(B)(5).

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Memo](#)
[Class V HPB Staff Report](#)
[Revised Midtown Delray site plan](#)
[revised waiver board order](#)

7.E. CONDITIONAL USE REQUEST FOR 24 RESIDENTIAL-TYPE INN UNITS IN THE OLD SCHOOL SQUARE HISTORIC ARTS DISTRICT FOR MIDTOWN DELRAY (fka SWINTON COMMONS) AT THE SUNDY HOUSE AND ON BLOCKS 61 AND 70.

(QUASI-JUDICIAL HEARING)

Recommendation: Motion to Approve the Conditional Use request to increase the Residential-type Inn use to 24 units with one additional unit at the Sundry House, 9 new units on Block 61, and 14 new units on Block 70 for Midtown Delray by adopting the findings of fact and law contained in the Staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in Sections 2.4.5(E)(5), and Chapter 3 of the Land Development Regulations, subject to the following conditions:

1. That Class V Site Plan and Certificate of Appropriateness for the respective project be approved.
2. That Palm Beach County Traffic Engineering Division provide a determination that the proposal meets the Traffic Performance Standards of Palm Beach County.
3. That the plat for the complete development be approved and recorded prior to the issuance of a building permit.
4. That the applicant provide significant evidence that the use operates as a residential-type inn.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Memo](#)
[Midtown \(fka Swinton Commons\) PZBoard Cond Use Report](#)
[Swinton Commons superseded concept plan \(July 2017\)](#)
[Midtown Delray revised concept plan \(Dec 2017\)](#)
[Revised Midtown Delray site plan](#)
[revised city commission conditional use board order](#)

7.F. CITY COMMISSION APPEAL OF THE HISTORIC PRESERVATION BOARD APPROVALS OF CERTIFICATES OF APPROPRIATENESS FOR THREE RELOCATIONS AND SEVEN DEMOLITIONS ASSOCIATED WITH THE MIDTOWN DELRAY (FORMERLY KNOWN AS SWINTON COMMONS) PROJECT GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ATLANTIC AND SWINTON AVENUES (QUASI-JUDICIAL HEARING)

Recommendation: The recommendation is to confirm the Historic Preservation Board (HPB) Certificates of Appropriateness (COA) for Buildings D, G, H, T, U, V, W, X, Y, and Z, more specifically described below.

RELOCATIONS:

Approve the COA (2016-072) for the relocation of the contributing structure on the property located at 21 SW 1st Avenue (Building 'D') in the Old School Square Historic Arts District (OSSHAD) to the property located at southwest section of the Sundry Block (address to be determined) by adopting the findings of fact and law contained in the staff report, and

finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Approve the COA (2016-061), a.k.a. Yellow House, for the relocation of the contributing structure on the property located at 44 South Swinton Avenue (Building 'G') in OSSHAD to the property located south central on the Sundry Block (address to be determined) by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Approve the COA (2016-057), a.k.a. White House, for the demolition/relocation/reconstruction of the contributing structure on the property located at 10 SE 1st Street on Block 70 (Building 'H'), to same property located slightly north of its current site on Block 70 facing SE 1st Street., OSSHAD (address likely to be the same) by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

DEMOLITIONS:

Approve the COA (2016-065) for the demolition of a non-contributing structure (Building 'T') located at 52 W. Atlantic Avenue Old School Square Historic District, by adopting the findings of fact and law contained in the staff report and finding that the request is consistent with LDR Sections 4.5.1(E)(5) and 4.5.1(F), Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Approve the COA (2016-068) built in 2001 for the demolition of a non-contributing structure (Building 'U') located at 20 W Atlantic Avenue, Old School Square Historic District, by adopting the findings of fact and law contained in the staff report and finding that the request is consistent with LDR Sections 4.5.1(E)(5) and 4.5.1(F), Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Approve the COA (2016-058) for the demolition of a contributing structure/accessory structure (Building 'V') located at 35½ SW 1st Avenue, Old School Square Historic District, by adopting the findings of fact and law contained in the staff report and finding that the request is

consistent with LDR Sections 4.5.1(E)(5) and 4.5.1(F), Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Approve the COA (2016-062) for the demolition of a contributing structure (Building "W") located at 14 SE 1st Street, Old School Square Historic District, by adopting the findings of fact and law contained in the staff report and finding that the request is consistent with LDR Sections 4.5.1 (E)(5) and 4.5.1(F), Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Approve the COA (2016-06)6 for the demolition of a contributing structure (Building' X') that has lost its character defining features of its Mission Revival style located at 18 SE 1st St, Old School Square Historic District, by adopting the findings of fact and law contained in the staff report and finding that the request is not consistent with LDR Sections 4.5.1 (E)(5) and 4.5.1(F), Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Approve the COA 2016-067 for the demolition of a contributing structure/accessory structure (Building 'Y') located at 18½ SE 1st Street, Old School Square Historic District, by adopting the findings of fact and law contained in the staff report and finding that the request is not consistent with LDR Sections 4.5.1 (E)(5) and 4.5.1(F), Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Approve the COA 2016-059 for the demolition of a contributing structure (Building 'Z') located at 48 SE 1st Avenue, Old School Square Historic District, by adopting the findings of fact and law contained in the staff report and finding that the request is not consistent with LDR Sections 4.5.1 (E) (5) and 4.5.1(F), Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Sponsors:

Planning & Zoning Department

Attachments: [Agenda Cover Memo](#)
[Appeal Request Withdrawal Letter 10-4-17](#)
[Swinton Commons Class V Staff Report 10.17.17](#)
[Relocation-Demolition Location Map 10.17.17](#)
[Relocation Report Building 'D' FINAL](#)
[Relocation Report Building 'G' FINAL](#)
[Relocation Report Building 'H' FINAL](#)
[Demolition Report Building T FINAL](#)
[Demolition Report Building U FINAL](#)
[Demolition Report Building V FINAL](#)
[Demolition Report Bulding W FINAL](#)
[Demolition Report Building X FINAL](#)
[Demolition Report Bulding Y FINAL](#)
[Demolition Report Building Z FINAL](#)
[revised CC Board Order -Appeal of HPB approvals 02.02.06](#)

- 7.G.** APPLICANT APPEAL OF THE HISTORIC PRESERVATION BOARD DENIALS OF APPLICATIONS FOR CERTIFICATES OF APPROPRIATENESS, CLASS V SITE PLAN, LANDSCAPE PLAN, ARCHITECTURAL ELEVATIONS, FIVE RELOCATIONS AND TWO DEMOLITIONS ASSOCIATED WITH THE MIDTOWN DELRAY PROJECT WHICH INCLUDES 39,396 SQUARE FEET OF RETAIL; 11,117 SQUARE FEET OF RESTAURANT; 55,218 SQUARE FEET OF OFFICE; 45 DWELLING UNITS AND 39 RESIDENTIAL-TYPE INN UNITS. (QUASI-JUDICIAL HEARING)

Recommendation:

Site Plan Modification:

Motion to approve COA 2017-284-SPM-HPB-CL5 and associated Class V site plan for Midtown Delray, by adopting the findings of fact and law contained in the staff report, and finding that the request, and approval thereof, meets criteria set forth in Chapter 3, Section 2.4.5(F)(5), and Section 2.4.6(H)(5) of the Land Development Regulations and Comprehensive Plan, subject to the following conditions of approval.

1. That the locations of the generators are provided on the plans together with the source of fuel prior to certification of the site plan.
2. That the waiver regarding building length are approved by the City Commission.

Landscape Plan:

Motion to approve COA 2017-284-SPM-HPB-CL5 and associated landscape plan for Midtown Delray, based on positive findings with respect to LDR Section 4.6.16 and Section 2.4.5(H)(5), subject to the condition that a payment of \$139,800 to the Delray Beach Tree Trust Fund for remediation of the trees to be removed.

Elevations:

Motion to approve COA-2017-284-SPM-HPB-CL5 and associated design elements for Midtown Delray, based on positive findings with respect to LDR Section 4.6.18 and Section 2.4.5(I)(5), subject to the elimination of the conflict between the building elevations of building #9 and the floor plans.

Relocations:

Move approval of COA 2016-069 (Rectory, Building 'A'), 14 S. South Swinton for the relocation of the contributing structure on the property located at 20 W Atlantic Avenue, Block 61 to the property located at further south on Block 61 fronting on South Swinton Avenue (address to be determined) OSSHAD by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Move approval of COA 2016-070 (Rectory, Building 'B') for the relocation of the contributing structure on the property located at 20 W Atlantic Avenue, OSSHAD to the property located at southwest section of Block 70 (address to be determined) OSSHAD by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Move approval of COA 2016-071 (Building 'C') for the relocation of the contributing structure on the property located at 22 South Swinton Avenue, OSSHAD to the property located at north section of Block 70 (address to be determined) OSSHAD by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Move approval of COA 2016-063 (Building 'E'), a.k.a. Cathcart House for the relocation of the contributing structure on the property located at 38 South Swinton Avenue, OSSHAD to be relocated back to its current location by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Move approval of COA 2016-060 (Building 'F'), a.k.a. Peach House for the relocation of the contributing structure on the property located at 40 South

Swinton Avenue, OSSHAD to property located on the Sundy Block, OSSHAD (address to be determined) by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Demolitions:

Move approval of COA 2016-064 (Building 'E-1') for the demolition of a contributing structure located at 38½ South Swinton Avenue, Old School Square Historic District, by adopting the findings of fact and law contained in the staff report and finding that the request is consistent with LDR Sections 4.5.1 (E)(5) and 4.5.1(F), Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Move approval of the COA 2016-061 (Building 'G-ACC') for the demolition of a (contributing structure/accessory structure secondary building to Building 'G' a contributing structure) located at 44½ South Swinton Avenue, Old School Square Historic District, by adopting the findings of fact and law contained in the staff report and finding that the request is consistent with LDR Sections 4.5.1 (E)(5) and 4.5.1(F).

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Memo](#)
[Class V with demo and relo reports](#)
[Building A pdf](#)
[building B pdf](#)
[building C pdf](#)
[building E pdf](#)
[building F pdf](#)
[building E1 pdf](#)
[building G-ACC pdf](#)
[revised site plan cc order on appeal of HPB denial revised](#)

7.H. RECOMMENDATION FOR APPOINTMENT TO THE DELRAY BEACH HOUSING AUTHORITY BOARD

Recommendation: Motion to recommend for appointment one (1) regular member to serve on the Delray Beach Housing Authority Board for a four (4) year term ending March 6, 2022.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Memo](#)
[Delray Beach Housing Authority Board Member List](#)
[Delray Beach Housing Authority Attendance List](#)

8. PUBLIC HEARINGS:

8.A. None

9. FIRST READINGS:

9.A. None

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

10.A. City Manager

10.B. City Attorney

10.C. City Commission