



City of Delray Beach

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

Advisory Board Agenda Planning and Zoning Board

Monday, November 14, 2022

5:01 PM

Commission Chamber

Regular Meeting

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF AGENDA

4. MINUTES

A. June 20, 2022

Attachments: [Minutes \(DRAFT\)](#)

B. July 18, 2022

Attachments: [Minutes \(DRAFT\)](#)

C. August 15, 2022

Attachments: [Minutes \(DRAFT\)](#)

D. September 12, 2022

Attachments: [Minutes \(DRAFT\)](#)

5. SWEARING IN OF THE PUBLIC

6. COMMENTS FROM THE PUBLIC

(NOTE: Comments on items that are NOT on the Agenda. Speakers will be limited to 3 minutes).

7. PRESENTATIONS

8. QUASI-JUDICIAL HEARING ITEMS

- A.** Delaire Country Club (File No. 2022-265): Provide a recommendation to the City Commission on Resolution No. 168-22, to rename a portion of Live Oak Boulevard, a private right-of-way that runs from South Military Trail to the intersection of White Cedar Lane, to Delaire Boulevard.
Applicant: Delaire Country Club Property Owners' Association, Inc.
Planner: Rebekah Dasari, Principal Planner; dasarir@mydelraybeach.com
- Attachments:** [Staff Report](#)
 [Request Letter](#)
 [Resolution No. 168-22](#)
- B.** Abandonment of Alley Right-of-Way, Adjacent to 201 and 213 SE 2nd Avenue, and 206 SE 3rd Avenue (File No. 2021-236): Provide a recommendation to the City Commission regarding a privately-initiated request to abandon an unimproved portion of a City-owned right-of-way (alley) totaling approximately 1,496 square feet and located adjacent to 201 and 213 SE 2nd Avenue, and 206 SE 3rd Avenue.
Applicant: The Hutt, LLC; tyler@knightgroupfl.com
Authorized Agent: Bonnie Miskal, Esq.; Dunay, Miskel & Backman, LLP; bmiskel@dmbblaw.com
Planner: Amy Alvarez, Principal Planner, alvarez@mydelraybeach.com
- Attachments:** [Staff Report](#)
 [Applicant Justification Statement](#)
 [City Engineer Review](#)
 [Survey of Area](#)
 [Sketches of Areas](#)
 [Utility Notification \[AT&T\]](#)
 [Utility Notification \[Comcast\]](#)
 [Turning Radius Review](#)
- C.** The North Edge (2022-239): Consideration of a Conditional Use request to allow free standing multiple-family housing at 1405 N. Federal Highway and 716 N Lake Avenue within the General Commercial (GC) zoning district.
Address: 1405 N Federal Highway and 716 N Lake Avenue
PCN: 12-43-46-09-11-004-0012; 12-43-46-09-11-004-0011; 12-43-46-09-11-004-0050
Applicant / Agent: Lake Ave Federal LLC / Jeffrey A. Costello, JC Planning Solutions; jcostello@jcplanningsolutions.com
Planner: Julian Gdaniec, Senior Planner; gdaniec@mydelraybeach.com
- Attachments:** [Staff Report](#)
 [Applicant Justification Statement](#)
 [Property Survey](#)
 [Ground Floor Plan \(For Reference Only\)](#)
 [Renderings and Elevations \(For Reference Only\)](#)
 [Landscape Plan \(For Reference Only\)](#)

- D. Venetian Arcade Delray, Conditional Use (File No. 2022-231-USE-PZB): Provide a recommendation to the City Commission regarding a Conditional Use request to allow a +/- 2,363 square foot Adult Gaming Center at the property located at 14406 South Military Trail. (PUBLIC HEARING)

Agent: Ricardo Oscheneek, Red and Blue Constructions;
Ricardo@RedandBlueConstructions.com

Planner: Alexis Rosenberg, Senior Planner; rosenberga@mydelraybeach.com

Attachments: [Staff Report](#)
[Resolution No. 181-22](#)
[Applicant Justification Statement](#)
[Survey](#)
[Floor Plan](#)
[Traffic Performance Standards \(TPS\) Letter](#)
[Traffic Impact Analysis](#)

- E. Cason Court, Land Use Map Amendment (2021-268), Rezoning (2021-269), and Master Development Plan (2021-270): Provide a recommendation to the City Commission on a privately-initiated request for a Land Use Map Amendment (LUMA) from Community Facilities (CF) to Low Density (LD) (Ordinance No. 39-22), rezoning request from Community Facilities (CF) to Planned Residential Development - 4 du/acre (PRD-4) (Ordinance No. 38-22) for a 2.83-acre portion of the 5.88 acre property located at 342 North Swinton Avenue, and to approve the associated Master Development Plan (MDP) with three variances and a special parking reduction, for the entire subject property.

Agent: Marcela Cambolor and Associates, Inc; marcela@marcelacambolor.com
Planner: Alexis Rosenberg, Senior Planner; rosenberga@mydelraybeach.com

Attachments: [Staff Report](#)
[Ordinance No. 39-22 \(Land Use Map Amendment\)](#)
[Ordinance No. 38-22 \(Rezoning\)](#)
[Existing Land Use](#)
[Proposed Land Use](#)
[Existing Zoning](#)
[Propozed Zoning](#)
[Master Development Plan](#)
[Applicant Justification Statement](#)
[Parking Demand Analysis Report](#)
[Traffic Impact Analysis](#)
[Traffic Performance Standards Letter](#)

9. LEGISLATIVE ITEMS

- A.** Medical Marijuana Treatment Centers (File No. 2022-136): Provide a recommendation to the City Commission regarding Ordinance No. 33-22, a privately initiated amendment the Land Development Regulations (LDR), amending Section 4.3.3(G), "Medical Marijuana Treatment Center-Dispensing Facility" to allow such uses subject to terms and conditions; amending Section 4.3.3(LLL), "Pharmacies" to subject such uses to the regulations in Section 4.3.3(G); and amending Section 4.4.9, "General Commercial (GC) District," Section 4.4.11, "Neighborhood Commercial (NC) District," Section 4.4.13, "Central Business (CBD) District," Section 4.4.18, "Planned Commerce Center (PCC) District," and Section 4.4.29, "Mixed Residential, Office, and Commercial (MROC) District to allow the operation of Medical marijuana treatment centers-Dispensing facilities in such districts.

Agent: Neil M. Schiller, Esq., Government Law Group; nschiller@govlawgroup.com
Planner: Rebekah Dasari, Principal Planner; dasarir@mydelraybeach.com

THE ITEM WAS ON THE OCTOBER 17, 2022 AGENDA, AND WAS POSTPONED AT THE REQUEST OF THE APPLICANT.

Attachments: [Staff Report](#)
 [Ordinance No. 33-22](#)
 [Map: Proposed Zoning Districts](#)
 [Map: Existing Pharmacies](#)
 [Map: Schools and Daycares](#)

10. REPORTS AND COMMENTS

A. City Staff

B. Board Comments

11. ADJOURN

The City shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in and enjoy the benefits of a service, program, or activity conducted by the City. Please contact the City Manager at (561) 243-7015 at least 24 hours prior to the program or activity for the City to reasonably accommodate your request. Adaptive listening devices are available for meetings in the Commission Chambers. If a person decides to appeal any decision made by the Planning and Zoning Board with respect to any matter considered at this meeting or hearing, such persons will need a record of these proceedings, and for this purpose such persons may need to ensure that a verbatim record of the proceedings is made. Such record includes the testimony and evidence upon which the appeal is to be based. The City does not provide or prepare such record. Two or more City Commissioners may be in attendance.