

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

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www.mydelraybeach.com



Regular Commission Meeting

Regular Meeting at 4:00 PM

Tuesday, November 15, 2022

Commission Chambers

Delray Beach City Hall

City Commission

Mayor Shelly Petrolia

Vice Mayor Adam Frankel

Deputy Vice Mayor Juli Casale

Commissioner Ryan Boylston

Commissioner Shirley Ervin Johnson

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**

3.A. Additions, Deletions, Substitutions

4. PRESENTATIONS:**4.A. PRESENTING DEXTER ST. LOUIS, BUILDING MAINTENANCE WORKER, WITH EMPLOYEE OF THE MONTH FOR OCTOBER 2022**

Recommendation: Motion to present Dexter St. Louis, General Maintenance Worker, Parks and Recreation, with Employee of the Month for October 2022.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Dexter Louis - Employee of the Month](#)

4.B. RECOGNITION OF THE DELRAY BEACH POLICE DEPARTMENT'S CANINE OFFICER GHOST

Sponsors: Police Department

4.C. UPDATE ON THE DEVELOPMENT OF THE CITY'S NEW CITIZEN ENGAGEMENT MOBILE APPLICATION

Recommendation: Presentation of the City's new mobile application.

Sponsors: IT Department and City Manager Department

Attachments: [Agenda Cover Report](#)

4.D. WORK PLAN FOR THE DELRAY BEACH HISTORICAL SOCIETY CAMPUS

Recommendation: Receive presentation.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

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. CITY COMMISSION MEETING MINUTES

Recommendation: Motion to approve meeting minutes as listed below:

May 17, 2022 Regular Meeting Minutes
June 7, 2022 Regular Meeting Minutes
July 12 2022 Budget Workshop Commission Meeting Minutes
October 20, 2022 CRA-DDA-CC Joint Workshop Meeting Minutes

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[May 17, 2022 Regular Meeting Minutes - Draft](#)
[June 7, 2022 Regular City Commission Meeting Minutes - Draft](#)
[July 12 2022 Budget Workshop Commission Meeting Minutes - Draft](#)
[October 22, 2022 CRA-DDA-CC Joint Workshop - Draft](#)

6.B. APPROVAL OF GRANT APPLICATION AND AWARD/FDOT/OCCUPANT PROTECTION/CHILD PASSENGER SAFETY

Recommendation: Motion to approve application and award of the Florida Department of Transportation (FDOT) FY 22/23 Occupant Protection/Child Passenger Safety program grant.

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[FDOTSubgrantAgreement-2023 - Occupant Protection and Child Passenger Sa](#)
[Simple Legal Review Approval FDOT Subgrant Agreement Occupant Protector](#)

6.C. APPROVAL OF GRANT APPLICATION AND AWARD/FDOT/SPEED/AGGRESSIVE DRIVING ENFORCEMENT PROGRAM

Recommendation: Motion to approve application and award for the Florida Department of Transportation (FDOT) FY 22/23 Speed/Aggressive Driving Enforcement program.

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[FDOTSubgrantAgreement-2023 - Speed Aggressive Driving FDOT Grant](#)
[Simple Legal Review Approval FDOT Subgrant Agreement Speed and Aggress](#)

6.D. APPROVAL OF HOLD HARMLESS AGREEMENT FOR SALE OF CANINE GHOST

Recommendation: Motion to approve hold harmless agreement for sale of canine Ghost.

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[K9 - Canine Retirement Hold Harmless Agreement - Mintus](#)
[Legal Review Checklist_K9 HHA Mintus](#)

- 6.E.** CONSIDER APPROVAL OF A LICENSE AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF DELRAY BEACH TO ALLOW THE CITY TO UTILIZE COUNTY OWNED PARKING FACILITIES AT THE SOUTH COUNTY COURTHOUSE DURING SPECIAL EVENTS.

Recommendation: Motion to approve a License Agreement between Palm Beach County (County) and the City of Delray Beach (City) to allow the City to utilize county owned parking facilities at the South County Courthouse during special events.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[License Agreement with Palm Beach County - Courthouse Parking Garage Use](#)
[Legal Review Checklist License Agreement to use PBC Courthouse Garage 20:](#)

- 6.F.** ITEM(S) A1 - ACCEPTANCE OF RIGHT OF WAY DEDICATION BY 1202 VISTA DEL MAR DR

Recommendation: **Consideration of the following items:**

Item A1 - Motion to approve and accept a right of way dedication by the owners of 1202 Vista Del Mar Dr.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[A1a Right of Way Deed for 1202 Vista Del Mar Drive](#)
[A1b - Exhibit 1 and Legal Description for 1202 Vista Del Mar Drive](#)
[Legal Review Right of Way Deed 1202 Vista Del Mar Dr N - 1202 Vista Del Mar](#)

- 6.G.** APPROVE RESOLUTION 175-22 AND GRANT AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP GRANT 22SRP60), FOR PROVIDING SUPPLEMENTARY FUNDING UNDER THE RESILIENT FLORIDA PROGRAM, FOR THE TROPIC ISLE ROADWAY AND UTILITY IMPROVEMENT PROJECT IN THE AMOUNT OF \$19,800,000.

Recommendation: Motion to Approve Resolution 175-22 and execute a grant agreement with the State of Florida Department of Environmental Protection (FDEP GRANT 22SRP60), Division of Resilient Florida Program, for providing supplementary funding for the Tropic Isle Roadway and Utility Improvement Project in the amount of \$19,800,000, Project No. 19-015.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Location Map Tropic Isle 101022](#)
[22SRP60 - Tropic Isle Roadway and Underground Utility Improvements_ Revise](#)
[Resolution 175-22 Tropic Isle FDEP Grant 101122 kwb 10.26.22](#)
[Simple Legal Review Approval Tropic Isle FDEP Grant](#)

6.H. PROCLAMATIONS:**6.H.1. PROCLAMATION TO PROMOTE RECYCLING IN PALM BEACH COUNTY AND TO DECLARE NOVEMBER 15, 2022 AS AMERICA RECYCLES DAY.**

Recommendation: It is recommended that the City of Delray Beach proclaim and recognize November 15, 2022, as America Recycles Day and encourage all residents to continue to Reduce, Reuse, Recycle and Rethink their waste whether they are at work, home, school or play, and to Recycle Right every day by putting the correct items in their blue and yellow recycle bins!

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[America Recycles Day 2022](#)

6.H.2. 2022 SMALL BUSINESS SATURDAY - NOVEMBER 26, 2022 - PROCLAMATION

Recommendation: Proclaim November 26, 2022 as Small Business Saturday in Delray Beach, Florida.

Sponsors: Economic Development Department

Attachments: [Agenda Cover Report](#)
[Small Business Saturday Proclamation 2022](#)

6.H.3. WORLD AIDS DAY PROCLAMATION - DECEMBER 1, 2022

Recommendation: Motion to declare December 1, 2022 as World Aids Day.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[World Aids Day 2022](#)

6.I. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:**6.I.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM OCTOBER 24, 2022 THROUGH NOVEMBER 4, 2022.**

Recommendation: By motion, receive and file this report for actions from October 24, 2022, through November 4, 2022.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Appealable Items: Location Map](#)
[PAAB Agenda: October 24, 2022](#)
[SPRAB Agenda: October 26, 2022](#)
[HPB Agenda: November 2, 2022](#)

6.J. AWARD OF BIDS AND CONTRACTS:

- 6.J.1.** APPROVAL OF RESOLUTION NO. 189-22, TO APPROVE AN AGREEMENT ALONG WITH SERVICE AUTHORIZATION #1 WITH HAZEN & SAWYER, P.C. TO PROVIDE OWNER'S REPRESENTATIVE SERVICES IN CONNECTION WITH THE PLANNING, DESIGN AND CONSTRUCTION OF THE NEW WATER TREATMENT PLANT AND RELATED IMPROVEMENTS PURSUANT TO RFQ NO. 2022-034 ("PROJECT NO 22-019U"); -\$251,963.00

Recommendation: Motion to approve Resolution No. 189-22 to award an Agreement with Hazen & Sawyer, P. C. for Consulting Services for Owner's Representative in connection with the construction of the City's new water treatment plant and to also approve Work Authorization No. 1 pursuant to RFQ No. 2022-034 (Project No. 22-019U) in a not-to-exceed amount of \$251,963.00.

Sponsors: Utilities Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist Owner's Representative for Water Treatment Plant](#)
[2022-034 Owner's Representative for Design-Build Construction Project for New](#)
[Res 189-22 Agreement and Service Authorization with Hazen Sawyer for design](#)
[Owner's Rep Clean Copy with Exhibits 11.7.22](#)
[Exhibits](#)

- 6.J.2.** APPROVAL OF RESOLUTION NO. 191-22 TO AWARD AN AGREEMENT WITH PREFERRED GOVERNMENTAL CLAIMS SOLUTIONS, INC. FOR PROPERTY, CASUALTY, AND WORKERS COMPENSATION THIRD PARTY CLAIMS ADMINISTRATOR SERVICES PURSUANT TO REQUEST FOR PROPOSALS NO. 2022-052 FOR THE HUMAN RESOURCES RISK MANAGEMENT DIVISION - \$300,000 FOR THE INITIAL THREE-YEAR TERM (\$100,000 PER YEAR)

Recommendation: Motion to Approve Resolution No. 191-22 to award an Agreement with Preferred Governmental Claims Solutions, Inc. Property, Casualty and Workers Compensation Third Party Administrator Services for the Human Resources Risk Management Division pursuant to Request for Proposals (RFP) No. 2022-052 in the estimated initial three (3) year amount of \$300,000 and authorize the City Manager to exercise any and all renewal options in amounts below contingent upon appropriation of funds.

Sponsors: Human Resources Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist PGCS](#)
[Resolution No. 191-22](#)
[RFP 2022-052 Agreement PGCS - Vendor Executed](#)

6.J.3. APPROVAL OF RESOLUTION NO. 192-22 TO AWARD AN AGREEMENT WITH FRESH START MAINTENANCE, INC. FOR LANDSCAPE MAINTENANCE FOR I-95 INTERCHANGES FOR THE PARKS AND RECREATION DEPARTMENT- INITIAL THREE- YEAR TERM COST \$182,190 (\$60,730 PER YEAR)

Recommendation: Motion to Approve Resolution No. 192-22 to award an Agreement with Fresh Start Maintenance, Inc., for Landscape Maintenance for I-95 Interchanges for the Parks and Recreation Department in the estimated initial three-year term amount of \$182,190 (\$60,730 per year) and authorize the City Manager to exercise renewal options, in the amounts below, contingent upon appropriation of funds.

Sponsors: Parks & Recreation Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist Fresh Start Maintenance 2022](#)
[Resolution No. 192-22](#)
[ITB 2022-069 Fresh Start Maintenance Agreement I-95 Interchanges - Vendor F](#)

7. REGULAR AGENDA:

7.A. RESOLUTION NO. 182-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING ITS BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021; BY PROVIDING FOR SUPPLEMENTAL APPROPRIATIONS IN THE AMOUNTS IDENTIFIED IN EXHIBIT A; REPEALING ALL RESOLUTIONS INCONSISTENT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Recommendation: Motion to Approve Resolution No. 182-22 amending the budget for Fiscal Year 2021-22 adopted on September 23, 2021.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Budget Amendment Resolution No. 182-22- November 15 2022](#)
[Exhibit A - General Fund - November 15 2022](#)
[Simple Legal Review Approval Resolution 182-22](#)

- 7.B.** RESOLUTION NO. 186-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, OVERRULING THE DECISION OF THE PLANNING AND ZONING BOARD, WHICH SERVES AS THE LOCAL PLANNING AGENCY FOR THE CITY, FOR REZONING APPROXIMATELY 6.74 ACRES LOCATED AT 1155 SOUTH CONGRESS AVENUE FROM MIXED-USE RESIDENTIAL OFFICE AND COMMERCIAL (MROC) TO SPECIAL ACTIVITIES DISTRICT (SAD); PROVIDING A CONFLICTS CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL)

Recommendation: Review and consider Resolution No. 186-22, overruling the recommendation of denial of the Planning and Zoning Board for rezoning approximately 6.74 acres located at 1155 South Congress from MROC to SAD.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Res. No. 186-22 Overruling PZB Alexan SAD](#)

[Alexan Delray - Notice of Appeal dated 9-20-22](#)

[Alexan Delray - PZB Staff Report](#)

[Alexan Delray - Memo for updated draft ordinance](#)

[Alexan Delray - Master Development Plan](#)

[Alexan Delray - Existing and Proposed Zoning](#)

[Alexan Delray - Justification Statement](#)

[Alexan Delray - Draft Ord No. 32-22 no leg rev WMB - 9.1.22 - JC - REV 9.7.22](#)

[Simple Legal Review Approval Reso 186-22](#)

- 7.C.** RESOLUTION NO. 190-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, OVERRULING THE DECISION OF THE PLANNING AND ZONING BOARD, WHICH SERVES AS THE LOCAL PLANNING AGENCY FOR THE CITY, FOR A REZONING OF THE APPROXIMATE .21 ACRE PARCEL LOCATED AT 210 SE 3RD AVENUE FROM A ZONING DESIGNATION OF SINGLE FAMILY RESIDENTIAL (R-1-A) TO CENTRAL BUSINESS DISTRICT (CBD) PROVIDING A CONFLICTS CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL)

Recommendation: Review and consider Resolution No. 190-22, overruling the decision of the Planning and Zoning Board for rezoning the property located at 210 SE 3rd Avenue from R-1-A to CBD; providing a conflicts clause and a severability clause; providing an effective date; and for other purposes.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Res 190-22 - 210 SE 3rd - Appeal of Rezoning](#)
[PZB Report - 210 SE 3rd Ave](#)
[Ord 36-22 - 210 SE 3rd REZ](#)
[Applicant Justification Statement](#)
[Maps](#)
[Survey](#)
[Traffic Statement](#)
[Legal Review Resolution 190-22](#)
[Legal Review Ordinance 36-22](#)

- 7.D.** NOMINATION FOR APPOINTMENT TO THE CODE ENFORCEMENT BOARD

Recommendation: Motion to approve the nomination for an appointment for one (1) alternate member to serve on the Code Enforcement Board for an unexpired term ending January 14, 2025.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Code Enforcement Board 2022](#)
[Code Enforcement Attendance 2022](#)
[Augustin Badet](#)
[Bowens](#)
[Calderbank](#)
[Canton](#)
[Delehanty](#)
[Land](#)
[Schulz](#)

7.E. NOMINATION TO THE EDUCATION BOARD FOR THE STUDENT SEATS

Recommendation: Motion to approve the appointment of two (2) student members to serve on the Education Board for a term ending July 31, 2023.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Education Board 2022](#)
[EB 2022](#)
[Tomas-Andres](#)
[Valenzuela](#)

7.F. NOMINATION FOR APPOINTMENT TO THE POLICE ADVISORY BOARD

Recommendation: Motion to approve the nomination for an appointment for two (2) regular board members to serve on the Police Advisory Board to serve an unexpired term ending July 31, 2023.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Police Advisory Board 2022](#)
[Police Advisory Board Attendance 2022](#)
[Augustin Badet](#)
[Carkhuff](#)
[Long](#)
[Markert](#)

7.G. DISCUSSION REGARDING THE REVOCABLE LICENSE AGREEMENTS AT THE NEIGHBORHOOD RESOURCE CENTER

Recommendation: Provide direction regarding the disposition of the revocable license agreements at the Neighborhood Resource Center.

Sponsors: Neighborhood & Community Services

Attachments: [Agenda Cover Report](#)
[NRC Services Overview 110322](#)
[Neighborhood Resource Center Phase I Floor Plan](#)

7.H. MANAGEMENT AND OPERATING AGREEMENT WITH THE DOWNTOWN DEVELOPMENT AUTHORITY FOR THE CORNELL ART MUSEUM

Sponsors: City Manager Department and Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[Management and Operations Agreement final 11-15-22](#)

- 7.I. RATIFICATION OF PROCLAMATION AND RESOLUTION NO. 202-22 DECLARING A STATE OF EMERGENCY AND PROCLAMATION TERMINATING THE STATE OF EMERGENCY DUE TO HURRICANE NICOLE PURSUANT TO CHAPTER 95 OF THE DELRAY BEACH CODE OF ORDINANCES.

Recommendation: Motion to Ratify Proclamations declaring and terminating state of emergency and ratifying Resolution 202-22 due to Hurricane Nicole.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Proclamation SOE - Emergency Hurricane Nicole](#)
[Res. No. 202-22 Hurricane Nicole](#)
[Proclamation Hurricane Nicole Termination](#)

- 7.J. PRESENTATION: FOLLOW UP REGARDING PROPOSED FEE STRUCTURE ADJUSTMENT AT THE DELRAY BEACH MARINA LOCATED IN THE HISTORIC MARINA DISTRICT

Recommendation: Motion to review and advise on the proposed fee structure adjustment at the Delray Beach Marina.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)

8. PUBLIC HEARINGS/SECOND READINGS:

- 8.A. ORDINANCE NO. 14-22: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT RE-DESIGNATING A PARCEL OF LAND MEASURING APPROXIMATELY 0.18 ACRES, LOCATED GENERALLY EAST OF NORTH FEDERAL HIGHWAY AND SOUTH OF NORTH LAKE AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM MEDIUM DENSITY TO GENERAL COMMERCIAL, PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT," FLORIDA STATUTES SECTION 163.3187; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING/PUBLIC HEARING)

Recommendation: Review and consider Ordinance No. 14-22, a City-initiated Land Use Map Amendment (LUMA) for the property located at 716 North Lake Avenue from Medium Density Residential (MD) to General Commercial (GC) to correct a data conversion error.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ordinance No. 14-22](#)
[PZB Staff Report](#)
[Proposed Land Use, 716 N. Lake Avenue](#)
[Legal Review, Ordinance No. 14-22](#)

- 8.B.** ORDINANCE NO. 21-22: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING SEVEN PARCELS OF LAND MEASURING APPROXIMATELY 4.3882 ACRES LOCATED ON THE EAST SIDE OF NORTH FEDERAL HIGHWAY, NORTH OF DELMAR WAY AND SOUTH OF GULFSTREAM BOULEVARD, WITH ADDRESSES OF 2419, 2507, 2515, 2519, 2601, 2605, AND 2613 NORTH FEDERAL HIGHWAY, FROM GENERAL COMMERCIAL TO AUTOMOTIVE COMMERCIAL AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING THE “CITY OF DELRAY BEACH, ZONING MAP, JULY 6, 2021”; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL/SECOND READING)

Recommendation: Review and consider Ordinance No. 21-22, a privately initiated rezoning request from General Commercial (GC) to Automotive Commercial (AC) for seven parcels, totaling +/- 4.3882 acres, located on the east side of North Federal Highway between Delmar Way and Gulfstream Boulevard.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ord. No. 21-22_2419-2613 N Federal Hwy](#)
[2419-2613 N Federal Hwy - PZB Report](#)
[2419-2613 N Federal Hwy - Existing and Proposed Zoning](#)
[2419-2613 N Federal Hwy - Applicant Justification Statement](#)
[2419-2613 N Federal Hwy - Traffic Statement](#)
[Legal Review Form - Ord 21-22](#)

9. FIRST READINGS:

- 9.A.** ORDINANCE NO. 32-22: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING APPROXIMATELY 6.74 ACRES LOCATED AT 1155 SOUTH CONGRESS AVENUE FROM MIXED RESIDENTIAL OFFICE AND COMMERCIAL (MROC) TO SPECIAL ACTIVITIES DISTRICT (SAD), SAID LAND GENERALLY LOCATED ON THE EAST SIDE OF SOUTH CONGRESS AVENUE, APPROXIMATELY 970 FEET NORTH OF LINTON BOULEVARD, AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.25, "SPECIAL ACTIVITIES DISTRICT (SAD)," SUBSECTION 4.4.25(H), "S.A.D.S," TO ADD THE "ALEXAN DELRAY" SPECIAL ACTIVITIES DISTRICT; AMENDING THE "CITY OF DELRAY BEACH, ZONING MAP, JULY 6, 2021"; PROVIDING A CONFLICTS CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL / FIRST READING)

Recommendation: Consider Ordinance No. 32-22, a privately-initiated request for the rezoning of a 6.74 acre property located at 1155 South Congress Avenue from Mixed Residential, Office, and Commercial (MROC) to Special Activities District (SAD) with an associated amendment to LDR Section 4.4.25(H) to add the development to the list of approved SADs, and to approve development standards and the associated Master Development Plan (MDP) to allow a 267-unit multi-family residential development with associated amenities.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ord No. 32-22 - Alexan Delray SAD](#)
[Alexan Delray - PZB Staff Report](#)
[Alexan Delray - Memo for updated draft ordinance](#)
[Alexan Delray - Master Development Plan](#)
[Alexan Delray - Existing and Proposed Zoning](#)
[Alexan Delray - Justification Statement](#)
[Simple Legal Review Approval Alexan SAD 32-22](#)

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

B. City Attorney

C. City Commission

11. ADJOURNMENT

