

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

**MEETING DATE:** November 15, 2021

**MEETING PLACE:** Commission Chambers

**1. CALL TO ORDER**

The Planning and Zoning Board meeting was called to order by Chris Davey, Chairman at 5:01 P.M.

**2. ROLL CALL**

A quorum was present.

***Members Present:*** Chris Davey (Chairman), Julen Blankenship (Vice Chairman), Joy Howell (2<sup>nd</sup> Vice Chairman), Allen Zeller, Rob Long and Christina Morrison.

***Members Absent:*** Max Weinberg

***Staff Present:*** Kelly Brandon, Assistant City Attorney; Amy Alvarez, Principal Planner; Rebekah Dasari, Senior Planner; Brian Ruscher, Transportation Planner; and Diane Miller, Board Secretary.

**3. APPROVAL OF AGENDA**

Staff has asked to switch 7A and 8A as there is a large interest in 8A.

**Motion** to approve amended November 15, 2021, agenda made by Julen Blankenship and seconded by Joy Howell.

**MOTION CARRIED 6-0**

**4. MINUTES**

Motion to approve the meeting minutes of June 21, 2021, by Christina Morrison and seconded by Julen Blankenship.

**MOTION CARRIED 6-0**

**5. SWEARING IN OF THE PUBLIC**

Chris Davey read the Quasi-Judicial Rules for the City of Delray Beach and Ms. Miller swore in all who wished to give testimony.

**6. COMMENTS FROM THE PUBLIC** *(Limited to 3 Minutes)*

None

## **7. PRESENTATIONS**

*This item was heard after 8.A.*

**A. Parking and Curbside Management Plan:** Presentation on the Parking and Curbside Management Plan project focused on the draft findings and recommendations of the plan.

Planner: Brian Ruscher, AICP, Transportation Planner; ruscherb@mydelraybeach.com

Brian Ruscher, Transportation Planner presented through a PowerPoint Presentation.

### **Board Comments**

Allen Zeller-Asked about parking at Atlantic Crossing. Mr. Ruscher was not familiar with that development agreement

Chris Davey-Parking in the City needs to be addressed.

## **8. QUASI-JUDICIAL HEARING ITEMS**

### **A. 170 Sherwood Forest Drive (Enclave at Sherwood), Land Use Map Amendment (2021-052) and Rezoning (2021-052):**

Provide a recommendation to the City Commission on Ordinance Nos. 31-21 and 32-21, a privately initiated request associated with the redevelopment of the 37.31 acre Sherwood Golf Course located at 170 Sherwood Forest Drive, by amending the Land Use Map designation from Open Space (OS) to Low Density (LD), rezoning the property from Open Space Recreation (OSR) to Planned Residential Development (PRD), and amending the Sherwood Forest Master Development Plan (MDP) to accommodate the proposed 79-unit single-family home development with waivers from the requirements in Section 4.3.4(H)(3)(a) and Section 4.3.4(K) to reduce the minimum building separation requirement for zero lot line developments from 15 feet to 10 feet. (PUBLIC HEARING)

**Authorized Agent:** Wendy Tuma and Sandra Megrue, Urban Design Studio.  
wtuma@udsflorida.com and smegrue@udsflorida.com

**Planner:** Rebekah Dasari, Senior Planner; dasarir@mydelraybeach.com

**CONTINUED TO NOVEMBER 15, 2021, FROM THE MEETING OF SEPTEMBER 20, 2021.**

### **Exparte Communication**

No board members had exparte communication.

### **Applicant Presentation**

Kent Tuma-Urban Design

Mark Baker-Division President of Pulte

Andrew Maxey-Pulte Group

### **Staff Presentation**

Rebekah Dasari, Senior Planner, presented the project through a PowerPoint presentation.

**Public Comments**

John Colasacco-425 Sherwood Forest Drive-President of Sherwood Forest HOA. He spoke about the golf course and the dedication.

Sully Conley-4895 Sherwood Forest Drive-Question regarding the moving of trees.

Robin Gogliormella-4670 Sherwood Forest Drive-Question about the dedication of the golf course and the financial position.

Bud Summers-340 Sherwood Forest Drive-Expressed concerns that the golf course was not maintained, there seem to be no financial incentives from Pulte and need more open space.

Anthony Orlando-4695 Sherwood Forest Drive-Was aware of the proposed improvements to the golf course; is in favor of the project.

Antonio Amoto-247 Sherwood Forest Drive-In favor of the project.

Lance Hall-4920 Sherwood Forest Drive-Says the golf course needs the proposed improvement.

Ron Mandolfi-251 Sherwood Forest Drive-Golf course has not been maintained and likes what Pulte is proposing.

Steven Safern-4431 Regal Ct.-President of Legacy HOA-Likes the project but concerned with the traffic.

Dorothy Shannon-4540 Sherwood Forest Drive-Likes the project.

Jane Hali-4690 Sherwood Forest Drive-When they moved into the community, they had hoped the golf course would be updated.

Sharla Ryals-4610 Sherwood Forest Drive-In favor of the homes.

Mark Pluznick-4725 Sherwood Forest Drive-Concerned about the site plan, and the lakes, which he feels are retention ponds.

David Fein-355 Sherwood Forest Drive-Was against the proposed plan originally presented, and worked against the proposal. When the plan was adjusted, he voted in favor of it.

Christianne Carvalho-4412 Regal Ct.-She faces the golf course, and can only go out one area. Legacy should share maintenance and landscape with all.

Bryan Maloney-4420 Regal Ct.-Concerned about the mixed answers about what the plans will be for the retention pond. He heard there was going to be a fence or wall constructed on the entire property line, but did not hear it addressed today at this meeting.

**Rebuttal/Cross**

Kent Tuma-Urban Design-Regarding Mr. Maloney's question about the fence, Pulte is in agreement and will work with the association. Regarding the trees in the canal easement, Pulte does not own the land; it is owned and controlled by Lake Worth Drainage District.

Rebekah Dasari, Senior Planner-Tree Removal is determined by the arborist. Also, the Traffic Performance Approval letter showed no traffic impact.

**Board Comments**

Julen Blankenship-Clarified that there is a Master Development Plan for the golf course, for Legacy and, and for Sherwood Forest. Ms. Dasari responded that the Master Development Plan includes Legacy, Sherwood Forest, and the golf course.

Allen Zeller-Expressed concern that arrangements with the residents of Sherwood Forest for the amenities, which are not shared with the Legacy residents. Mr. Zeller also is very concerned with the safety, and that there are no concessions for affordable housing. He does not believe that the LDR's and Comp Plan objectives relating to the housing elements have been met. There should be cross access between the neighborhoods. Trees are being removed and not replaced.

Christina Morrison-States that there is a housing shortage of 50,000 housing units in Palm Beach County. Ms. Morrison asked what the target market is for the property. Mr. Baker said it will be all single-story homes of 79 homes, including people that were downsizing, empty nesters and a mix of people. Ms. Morrison comments that the traffic impact will be much less than a commercial use. She enquires about the source of the water to the lakes. Mr. Baker says the source is drainage. In regard to shared expenses, Ms. Morrison stated that the 3 associations should have some kind of agreement. Mr. Baker replied that the associations cannot change the documents for anyone with a mortgage. The shared agreements would have to be through the HOA.

Joy Howell-Asked why there was no affordable housing. Mr. Baker said that they are working with affordable housing in other areas of the city, but not at this community. Ms. Howell asks about the open space and connectivity proposed, and tree removal.

Julen Blankenship-Asked staff if this community has to offer workforce housing. Ms. Dasari said that it is not required, and it is not an incentive area. Ms. Blankenship notes that there are zero lot line homes in the existing development.

Rob Long-Feels that this project is a good collaboration with the community.

Chris Davey-Feels that the developer has done an excellent job of addressing the Board's comments about the project at the previous meeting.

**MOTION, Land Use Map Amendment**-Move a recommendation of approval of Ordinance No. 31-21, a privately initiated request to amend the land use map from Open Space (OS) to Low Density (LD) for the property located at 170 Sherwood Forest Drive, finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the applicable criteria set forth in the Land Development Regulations, made by Julen Blankenship and seconded by Christina Morrison.

**MOTION CARRIED 5-1** Dissenting Allen Zeller

**MOTION, Rezoning**- Move a recommendation of approval as amended, of Ordinance No. 32-21, a privately initiated request to rezone 170 Sherwood Forest Drive from Open Space & Recreation (OSR) to Planned Residential Development (PRD), finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the applicable criteria set forth in the Land Development, amended to include the provisions of the PRD-4 made by Julen Blankenship and seconded by Christina Morrison.

**MOTION CARRIED 5-1** Dissenting Allen Zeller

**MOTION, Master Development Plan and Waivers**- Approve the amendment to the Sherwood Forest Master Development Plan, for 79 zero lot line single family lots; with a waiver from LDR Section 4.3.4(H)(3)(a) to allow a reduction from the required 15 foot setback to 10 feet, and a waiver from LDR Section 4.3.4(K), which establishes minimum setbacks; finding that the approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations made by Julen Blankenship and seconded by Joy Howell.

**MOTION CARRIED 4-2** Dissenting Allen Zeller and Christina Morrison

## **11. REPORTS AND COMMENTS**

### **A. Staff**

The next PZB meeting dates are:

December 13, 2021

January 24, 2022

February 28, 2022

**B. Attorney**-No comments.

**C. Board Members**-No comments.

## **10. ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned at 8:40pm.

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 **November 15, 2021**, which were formally adopted and APPROVED by the Board on **August 15, 2022**

DRAFT

**ATTEST:**

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**CHAIR**

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**BOARD SECRETARY**

DRAFT

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