

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

MEETING DATE: February 28,2022

MEETING PLACE: City Commission Chambers

1. CALL TO ORDER

The meeting was called to order by Chris Davey, Chairman at 5:04pm.

2. ROLL CALL

A quorum was present at call to order.

Members present were Chris Davey, Chair; Julen Blankenship, Vice Chair; Joy Howell, 2nd Vice Chair; Allen Zeller; Christina Morrison; and Max Weinberg.

Absent was Rob Long.

Staff Present were William Bennett, Asst. City Attorney; Anthea Gianniotis, Development Services Director; Amy Alvarez, Principal Planner; Rebekah Dasari, Senior Planner; Jennifer Buce, Planner; and Diane Miller, Board Clerk

3. Approval of Agenda

Motion to APPROVE the February 28, 2022, agenda by Christina Morrison and seconded by Julen Blankenship.

MOTION CARRIED 6-0

4. MINUTES

Motion to APPROVE the July 19, 2021, minutes by Christina Morrison and seconded by Julen Blankenship.

MOTION CARRIED 6-0

5. SWEARING IN OF THE PUBLIC

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

6. COMMENTS FROM THE PUBLIC

None

7. PRESENTATIONS

None

8. QUASI-JUDICIAL HEARING ITEMS

A. Avis Car Rental (2022-051): Provide a recommendation to the City Commission regarding a Conditional Use request to establish a Neighborhood Automotive Rental Facility for Avis Car Rental at 14530 South Military Trail at the southeast corner of West Atlantic Avenue and South Military Trail within the Delray Square Shopping Center.

Address: 14530 South Military Trail

Owner/Applicant: Peter Piracci, Avis Budget Group, Inc.; pete.piracci@avisbudget.com

Agent: Kimley-Horn & Associates; Liam.Sargent@kimley-horn.com

Planner: Jennifer Buce; buce@mydelraybeach.com

Applicant Presentation

Liam Sargent-1615 S. Congress Avenue
Peter Piracci-Avis Budget Group, Inc.

Staff Presentation

Jennifer Buce, Planner, presented the project through a Microsoft PowerPoint presentation.

Experte Communication

Allen Zeller-Visited Site
Joy Howell-No
Christina Morrison-Knows the property
Max Weinberg-Visited Site
Julen Blankenship-No
Chris Davey-Knows the property

Public Comment

None

Rebuttal

None

Board Comments

Julen Blankenship-Asked staff if there was an Enterprise Car Rental at that location previously, and if there were any problems. Jen Buce responded that there had been no problems, to the best of her knowledge.

Max Weinberg-Applicant is asking for 10 spaces, but 20 spaces are available. Jen Buce confirmed. Also, Mr. Weinberg asked about washing cars at the facility but was informed that the washing would take place at nearby facilities and at other Avis Rental offices.

Allen Zeller-Wanted to know if Avis was proposing any electric charging stations. None would be available.

Christina Morrison-Wanted to know if the fencing has been approved. Jennifer Buce said that it was not, and it has been removed.

MOTION to move to recommend approval to the City Commission regarding a Conditional Use request to establish a Neighborhood Automotive Rental Facility for Avis Car Rental, at 14530 South Military Trail at the southeast corner of West Atlantic Avenue and South Military Trail within the Delray Square Shopping Plaza Center, finding that the request is consistent with the Land Development Regulations and the policies of the Comprehensive Plan made by Julen Blankenship and seconded by Max Weinberg.
Amended by Christina Morrison to correct the motion to read, "Northeast corner of West Atlantic & S. Military Trail".

MOTION CARRIED 6-0

B. 3900 Sherwood Boulevard (2021-142 and 2021-143): Provide a recommendation to the City Commission on Ordinance Nos. 04-22 and 05-22, privately initiated requests related to the 10.97-acre parcel located at 3900 Sherwood Boulevard, amending the Land Use Map from Low Density (LD) to Transitional (TRN) and rezoning the property from Single Family Residential R-1-AAA-B, Single Family Residential R-1-AA, and Community Facilities (CF) to Residential Office (RO).

Agent: Brian Seymour, Esq. (bseymour@gunster.com) & Joshua Long, AICP (jlong@gunster.com), Gunster

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

Applicant Presentation

Joshua Long, Gunster Law Firm
Brian Seymour, Gunster Law Firm

Chris Davey paused the applicant presentation, and asked to speak to the City attorney regarding the presentation. Mr. Davey expressed concern that the applicant presentation addressed a different request than the request reviewed in the staff report.

William Bennett, Assistant City Attorney, says that the application has been noticed and is on the agenda as a Land Use Map Amendment from Low Density to Transitional land use, as well as a rezoning to Residential Office from Single Family Residential R-1-AAA-B, Single Family Residential R-1-AA, and Community Facilities (CF); that is what staff has reviewed. Mr. Bennet does not advise the board to take any action on this item unless the applicant wants to move forward with the original request.

Chris Davey asked if the different presented would have to come back before the board as a new application. Rebekah Dasari said that a new application would have to be submitted.

Amy Alvarez stated that the item that will be presented in the staff presentation addresses the request in the application, not what the applicant just presented.

5:45pm-Meeting took a 5-minute recess so the applicant can discuss how they would like to proceed with their project.

5:53pm-Meeting resumed.

John Rice, Gunster-Attorney for the applicant asked for a 2 month postponement to

come back with an amended application.

William Bennett does not want to recommend a date certain but to terminate the item from the agenda so staff can review the new information in the revised request with a new application.

Motion to terminate item 8.B from the agenda made by Julen Blankenship and seconded by Joy Howell

MOTION TO TERMINATE ITEM 8.B CARRIED 6-0

9. LEGISLATIVE ITEMS

A. Family/Workforce Housing LDR Update (2020-158): Provide a recommendation to the City Commission on Ordinance No. 10-22 a City-initiated amendment to the Land Development Regulations (LDR), amending Section 4.7.6, "Rental housing units", Section 4.7.7, "For sale housing units", and Section 4.7.8, "Resale and subsequent rentals of affordable units" in Article 4.7, "Family/Workforce Housing".

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

Applicant Presentation

None

Staff Presentation

Rebekah Dasari, Senior Planner presented through a Microsoft PowerPoint presentation.

Exparte

None

Public Comment

None

Rebuttal

None

Board Comments

Allen Zeller asked why this item did it not go to the Affordable Housing Committee (AHAC) first. Rebekah Dasari commented that AHAC is not one the boards that is listed in the LDRs, but staff provides the board with updates on development requests with affordable housing. The request will be taken to AHAC prior to City Commission review

Joy Howell asked that this LDR update go to AHAC before the Commission hearing. Ms. Dasari confirmed that it will.

Julen Blankenship said there seems some sort of attempt to control increase in pricing for housing units. Housing prices are escalating in the Palm Beach County; Miami is attempting to implement some sort of rent control. Asks if these types of conversations have taken place in the County. Ms. Dasari said that the City is looking at affordability and housing options.

Chris Davey commented that the amendments before the Board regarding the pricing structure is actually bringing the code into conformity with local and federal government guidelines on how to price affordable housing rents.

MOTION to recommend approval to the City Commission of Ordinance No.10-22, amending Section 4.7.1, "Definitions," Section 4.7.6, "Rental housing units", Section 4.7.7, "For sale housing units", Section 4.7.8, "Resale and subsequent rentals of affordable units," Section 4.7.11, "Density bonus tables," and renumbering Section 4.7.12, "Other incentives," in Article 4.7, "Family/Workforce Housing" of the Land Development Regulations by finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in Land Development Regulations made by Christina Morrison and seconded by Joy Howell.

MOTION CARRIED 6-0

10. REPORTS AND COMMENTS

A. City Staff

Next meetings:

March 21

April 18

Ordinance No. 29-21 was withdrawn from consideration by the applicant.

The Planning and Zoning division of Development Services is now fully staffed.

B. Board Attorney

None

C. Board Member

Christina Morrison-Asked if Bounce opened. The application was withdrawn. At this time, they can stay open till 12:00 midnight.

Julen Blankenship stated that watching the Commission meetings, it seems that the PZB Board has some strong opinions on items, and it seems to get lost from PZB to Commission. Ms. Alvarez said that staff attempts to convey all comments from PZB to the Commission; staff will revisit Commission reports, to ensure that all comments are appropriately conveyed to the Commission.

Joy Howell the City is 2 years post-adoption of the 10-year Comp Plan, and ask for an update on the implementation of the policies. Amy Alvarez provided an update on the implementation status of several projects.

Max Weinberg spoke about Pocket Neighborhoods, and the value this housing model could bring to the city.

11. ADJOURN

There being no further business to come before the Board, the meeting was adjourned at 7:00pm.

The undersigned is the Board Clerk of the Planning and Zoning Board and the information provided herein is the Minutes of the meeting of said body for **February 28, 2022**, which were formally adopted and APPROVED by the Board on _____.

ATTEST:

Chair

Board Clerk

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.