

**MINUTES
SITE PLAN REVIEW AND APPEARANCE BOARD
CITY OF DELRAY BEACH**

MEETING DATE: August 24, 2022

MEETING PLACE: City Commission Chambers

1. CALL TO ORDER

The meeting was called to order by Todd L'Herrou, Chairman at 5:02 P.M.

2. ROLL CALL

A quorum was present.

Members Present: Todd L'Herrou, Chair; Dana Post Adler, Vice Chair; John Brewer; Steven Cohen and Annette Gray

Absent: Price Patton, 2nd Vice Chair; Carol Perez

Staff Present: William Bennet, Assistant City Attorney; Amy Alvarez, Principal Planner; Julian Gdaniec, Senior Planner; Jennifer Buce, Planner; Jae Eun Kim, Landscape Planner; and Rochelle Sinisgalli, Board Secretary.

3. APPROVAL OF AGENDA

MOTION to APPROVE the August 24, 2022, agenda by Dana Post Adler and seconded by Annette Gray.

4. MINUTES

Motion to approve the minutes for March 23, 2022, was made by Annette Gray and seconded by Dana Post Adler.

5. SWEARING IN OF THE PUBLIC

Todd L'Herrou, Chairman read the Quasi-Judicial Rules for the City of Delray Beach and Ms. Sinisgalli swore in all who wished to give testimony.

6. COMMENTS FROM THE PUBLIC

None

7. PRESENTATIONS

None

8. QUASI-JUDICIAL HEARING ITEMS

A. Starbucks (2022-211): Consideration of an amendment to the Master Sign Program for the Bed Bath and Beyond Plaza, associated with the new Starbucks.

Address: 14802 South Military Trail; Bed, Bath and Beyond Plaza.

PCN: 12-42-46-13-00-000-7070

Applicant/Agent: Gina Penney; gina.p@atlasbtw.com

Planner: Jennifer Buce; buce@mydelraybeach.com

Jennifer Buce, Planner entered Project File 2022-211 into the record.

Exparte

Todd L'Herrou- None

John Brewer-None

Steven Cohen-None

Annette Gray-None

Dana Post Adler- None

Applicant Presentation

Gina Penney, Atlas Signs; 1077 W Blue Heron Blvd, Riviera Beach, FL 33404

Staff Presentation

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

Rebuttal/Cross

None

Public Comment

None

Board Comments

Todd L'Herrou is supportive of the projected and noted that the signage appears to be standard signage typically seen in Starbucks locations.

MOTION to move approval of the amendment to the Master Sign Program (2022-211) for the Starbucks located at 14802 South Military Trail, based upon positive findings to LDR Section 4.6.7(F)(2)(b) was made by Annette Gray and seconded by Steven Cohen.

MOTION Carried 5-0

B. 102 NE 7th Avenue (2022-081): Consideration of a Class II Site Plan Modification to install two individual driveways to provide parking for the multi-family residential property located at 102 NE 7th Avenue.

Address: 102 NE 7th Avenue

PCN: 12-43-46-16-01-115-0200

Authorized Agent: Abhi Kanthan, Kanthan Design Corporation;
abhi@kanthandesign.com

Planner: Jae Eun Kim; KimJ@mydelraybeach.com

Jae Eun Kim, Senior Landscape Planner entered Project File 2022-081 into the record.

Exparte

Todd L'Herrou- Drove by the site

John Brewer-None

Steven Cohen-None

Annette Gray-None

Dana Post Adler- None

Applicant Presentation

Abhi Kanthan, Kanthan Design Corporation; 631 Potter Road, Boynton Beach, FL 33435

Staff Presentation

Jae Eun Kim, Senior Landscape Planner presented the project from a Microsoft PowerPoint presentation.

Rebuttal/Cross

None

Public Comment

None

Board Comments

John Brewer noted that the addition of the driveways will prevent the need of the residents from parking in public parking spaces.

Todd L'Herrou noted that the addition of the driveways will be an improvement for the neighborhood and the residents who reside at that location.

MOTION to move approval of the Class II (2022-081) Site Plan Modification, Landscape Plan, and Civil Plan for the subject property, located at 102 NE 7th Avenue, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations was made by Dana Post Adler and seconded by Annette Gray.

MOTION Carried 5-0

C. Delray Village Shoppes (2022-079): Consideration of a Class II Site Plan Modification, Landscape Plan, and Architectural Elevations for Delray Village Shoppes (FKA Lintco Development) associated with the construction of Building "A," a 42,021 square foot building containing a grocery store and retail and restaurant bays.

Address: 541 West Linton Boulevard; Delray Village Shoppes

PCN: 12-43-46-20-80-001-0000

Applicant/Agent: GE Architecture, Gary P. Eliopoulos; Gary@eliarch.com

Planner: Jennifer Buce; Buce@mydelraybeach.com

Jennifer Buce, Planner entered Project File 2022-079 into the record.

Exparte

Todd L'Herrou- None

John Brewer-None

Steven Cohen-None

Annette Gray-None

Dana Post Adler- None

Applicant Presentation

Gary Eliopoulos, GE Architecture; 1045 E Atlantic Avenue, Delray Beach, FL 33483

Staff Presentation

Jennifer Buce, Planner presented the project from a Microsoft Power Point presentation.

Rebuttal/Cross

Gary Eliopoulos noted that there were differing light fixtures for the entrance to the plaza and the parking area.

Public Comment

None

Board Comments

John Brewer is concerned about the access into the plaza from SW 4th Avenue and the lack of outdoor seating. Mr. Brewer asked the applicant if outdoor seating or dining could be included in lieu of the excess parking not required by the Land Development Regulations.

Annette Gray asked staff regarding the possibility of a pedestrian walkway into the plaza from the adjacent residential neighborhoods. Ms. Gray recommended that the possibility of placing a pedestrian access point be explored.

Steven Cohen noted that green space should be better utilized. Mr. Cohen inquired if the applicant is trying to match the existing building architecture, the applicant stated that the proposed buildings are designed in a way to complement the existing structures.

Dana Post Adler encouraged outdoor areas be utilized and a pedestrian access from the adjacent neighborhoods be provided. Ms. Adler was concerned about the modern look of the building hosting the Aldi supermarket.

Todd L'Herrou recommended that shade trees be provided along with a pedestrian access off of Benjamin Avenue.

MOTION to move approval of the Class II Site Plan Modification (2022-079), Landscape Plan, and Architectural Elevations for Delray Village Shoppes located at 541 W. Linton Boulevard, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations was made by John Brewer and seconded by Steven Cohen.

MOTION Carried 3-2

DISSENTING Annette Gray and Dana Post Adler

D. Hobby Lobby (2022-009): Consideration of a Class III Site Plan Modification, Landscape Plan, and Architectural Elevations for Hobby Lobby located in Delray Square at 14620 South Military Trail, associated with the minor architectural elevation changes to the east and west elevations.

Address: 14620 South Military Trail, Delray Square

PCN: 12-42-46-13-41-02-0000

Agent: Jason Webber, Kimley-Horn; Webber; Jason.Webber@kimley-horn.com

Planner: Jennifer Buce; Buce@mydelraybeach.com

Jennifer Buce, Planner entered Project File 2022-009 into the record.

Exparte

Todd L'Herrou- None

John Brewer-None

Steven Cohen-None

Annette Gray-None

Dana Post Adler- None

Applicant Presentation

Jason Webber, Kimley-Horn and Associates; 1615 S Congress Avenue Suite 201, Delray Beach, FL 33445

Staff Presentation

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

Rebuttal/Cross

None

Public Comment

George Long, 56 N Swinton Avenue. Mr. Long encouraged the Board to approve the proposed plans.

Board Comments

Annette Gray asked the applicant if the proposed color is a standard color used by Hobby Lobby.

Todd L'Herrou noted that the building has been vacant for many years and was happy to see that the building will now be occupied.

MOTION to move approval of the Class III Site Plan Modification (2022-009) associated with architectural elevations, site plan and landscape plan for the Hobby Lobby located at 14620 South Military Trail, finding that the request is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations was made by Dana Post Adler and seconded by Annette Gray.

MOTION Carried 5-0

E. 325 Shoppes on Atlantic Avenue (2022-131): Consideration of a Class III Site Plan Modification, Landscape Plan, and Architectural Elevations for modifications to the front elevation including the removal of the arcade, change in materials, finishes, and colors, addition of canopies, modifications to the three entry bays to add a total of 396sf, and modifications to the rear elevation with new canopies and doors.

Authorized Agent: Gary Eliopoulos, GE Architecture, Inc; (561) 276-6011, gary@eliarch.com

Planner: Amy Alvarez, AICP, Principal Planner; alvarez@mydelraybeach.com

Amy Alvarez, Principal Planner entered Project File 2022-131 into the record.

Exparte

Todd L'Herrou- None

John Brewer-None

Steven Cohen-None

Annette Gray-None

Dana Post Adler- None

Applicant Presentation

Gary Eliopoulos, GE Architecture; 1045 E Atlantic Avenue, Delray Beach, FL 33483

Steven Cohen 1140 Bauhinia Road Delray Beach 33483

Staff Presentation

Amy Alvarez, Principal Planner presented the project from a Microsoft PowerPoint presentation.

Rebuttal/Cross

None

Public Comment

George Long, 46 N Swinton Avenue. Mr. Long did not object to the approval of the proposed project.

Board Comments

Steven Cohen noted that the proposed design is an improvement as the building will now have a modern façade compatible with other buildings along Atlantic Avenue. Mr. Cohen asked about the location of the shade trees that will be installed.

Dana Post Adler asked the applicant regarding the proposed aluminum awnings, the LED lighting and the faux transom windows.

John Brewer noted that the building has been modified several times and the historic aspect of the building has been diminished and that the proposed design will allow retail use that will bring a positive holistic effect to the area.

Annette Gray is supportive of the proposed changes and asked the applicant regarding the LED lighting and the possibility of extending the façade materials at a minimum to the top of the transom.

Todd L'Herrou was supportive of the proposed design and was comfortable with staff administratively approving the outstanding technical items noted on the staff report. Mr. L'Herrou noted that technical comments 4 and 7 need to be removed.

MOTION to move approval as amended of the Class III Site Plan Modification (2022-131) Site Plan, Landscape Plan, and Architectural Elevations for 325 Shoppes on Atlantic Avenue at 325 East Atlantic Avenue, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations and technical note #4 is deleted was made by Steven Cohen and seconded by Annette Gray.

MOTION Carried 5-0

F. 307 NE 5th Avenue (2021-125) Consideration of a Class V Site Plan, Landscape Plan, Architectural Elevations and Landscape Waivers for a five-unit townhouse development.

Address: 307 NE 5th Avenue

PCN: 12-43-46-16-05-105-0160

Applicant / Agent: Sir I Development LLC / Jeffrey Silberstein, Silberstein Architecture; js@silbersteinarchitect.com

Planner: Julian Gdaniec, Senior Planner; gdaniecj@mydelraybeach.com

Julian Gdaniec, Senior Planner entered Project File 2021-125 into the record.

Exparte

Todd L'Herrou- None

John Brewer-None

Steven Cohen-None

Annette Gray-None

Dana Post Adler- None

Applicant Presentation

Jeffrey Silberstein, Silberstein Architecture; 524 NE 2nd Street, Delray Beach, FL 33444

Staff Presentation

Julian Gdaniec, Senior Planner presented the project from a Microsoft PowerPoint presentation.

Rebuttal/Cross

Jeffrey Silberstein noted that the Downtown Development Authority approved the project with a vote of 6-1.

Public Comment

None

Board Comments

Annette Gray stated that the design is too stark for the area and changes should be made to make the proposed architecture more compatible with buildings in that area.

John Brewer noted that the architecture is not compatible with other buildings in that area but was supportive of the proposed project. Mr. Brewer stated that the Board should not vote based on a preference as to architectural style instead should consider if the proposed style is in harmony and compatibility with the surrounding area. Mr. Brewer did suggest that the building not have more than one name on the façade and the design on the side of the building be altered.

Dana Post Adler was supportive of the colors being utilized but felt that the text and side elevation need to be addressed.

Steven Cohen was supportive of the proposed architectural design and had no issue with the wording on the building.

Todd L'Herrou was supportive of the proposed design and did not find that the gold coloring objectionable as it is a period color of the art deco architectural style. Mr. L'Herrou had no concerns regarding the requested waivers.

MOTION to move approval of the Class V (2021-125) Site Plan, Landscape Plan, Architectural Elevations and Waivers for a five-unit townhome development., located at 307 NE 5th Avenue, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations was made by Dana Post Adler and seconded by Annette Gray.

MOTION Carried 5-0

G. 408 SE 2nd Street (2021-251): Consideration of a Class V Site Plan, Landscape Plan, and Architectural Elevations for the construction of a 3-unit townhome development

Applicant/Property Owner: Centennial Investments DB LLP

Authorized Agent: Ames International Architecture; sames@amesint.com

Planner: Amy Alvarez, Principal Planner; alvarez@mydelraybeach.com

Amy Alvarez, Principal Planner entered project file 2021-251 into the record.

Exparte

Todd L'Herrou- None

John Brewer-None

Steven Cohen-None

Annette Gray-None

Dana Post Adler- None

Applicant Presentation

Shane Ames, Ames International Architecture; 203 N Dixie Boulevard, Delray Beach, FL 33444

Staff Presentation

Amy Alvarez, Principal Planner presented the project from a Microsoft Power Point presentation.

Rebuttal/Cross

Shane Ames noted that he was informed of the building setback requirements by staff during a preapplication meeting. Mr. Ames noted that the balconies do not exceed into the setbacks and that he received a letter from staff allowing the enclosure below the balconies. Mr. Ames considered SE 4th Avenue and the abutting alleyway a side street and not a street frontage.

Amy Alvarez noted that the setback along the southern portion of the property is not met as only 18 feet 9 inches is provided and a 25-foot setback is required. Ms. Alvarez stated that that staff made a determination that SE 4th Avenue, SE 2nd Avenue and the Abutting Alley way to the east were considered street frontages.

Public Comment

None

Board Comments

Todd L'Herrou noted that the Board cannot vote for or against this project due to the project's nonconformity in regards to the required setbacks.

MOTION to postpone made by Annette Gray and seconded by Dana Post Adler.

MOTION Carried 5-0

9. LEGISLATIVE ITEMS

None

A. Staff Comments

Next meetings will be held on September 28th and October 26th.

Amy Alvarez thanked Todd L'Herrou, Price Patton and John Brewer for their four years of service on the Board.

Staff has been advising applicants about Board concerns with the "greying of Delray" and is advising applicants that color should be incorporated.

B. Board Comments

Todd L'Herrou and John Brewer thanked city staff and fellow board members.

Steven Cohen noted that an applicant noted that the Land Development Regulations are too restrictive and asked the process in amending the code.

C. Attorney Comments

William Bennett noted that when reviewing architectural elevations, the Board needs to determine if the project is in harmony and compatibility with the surrounding area. Mr. Bennett thanked the Board members for their dedicated service to the Board.

11. ADJOURN.

There being no further business to come before the Board, the meeting was adjourned at 8:38 pm.

The undersigned is the Board Clerk of the Site Plan Review & Appearance Board and the information provided herein is the Minutes of the meeting of said body for **August 24, 2022**, which were formally adopted and APPROVED by the Board on _____.

ATTEST:

CHAIR

BOARD SECRETARY

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 Historic Preservation Board. They will become official minutes only after review and approval, which may involve some amendments, additions, or deletions.