

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

MEETING DATE: July 27, 2022

MEETING PLACE: City Commission Chambers

1. CALL TO ORDER

The meeting was called to order by Todd L'Herrou, Chairman at 5:01 P.M.

2. ROLL CALL

A quorum was present.

Members Present: Todd L'Herrou, Chair; Price Patton, 2nd Vice Chair; John Brewer; Steven Cohen; Annette Gray; Carol Perez

Absent: Dana Post Adler, Vice Chair

Staff Present: William Bennet, Assistant City Attorney; Amy Alvarez, Principal Planner; Jennifer Buce, Planner; Waltayvis Carruthers, Assistant Planner and Rochelle Sinisgalli, Board Secretary.

3. APPROVAL OF AGENDA

MOTION to APPROVE the July 27, 2022, agenda by Annette Gray and seconded by John Brewer.

4. MINUTES

Motion to approve the minutes for March 9, 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. 14802 South Military Trail - Bed, Bath & Beyond Plaza (2022-171): Consideration of a color change for the Bed Bath and Beyond Plaza, to change the existing building walls, columns, ceilings, and crowns from shades of beige or tan to several shades of grey and silver for the majority of the plaza, and from beige or tan trim to a dark blue color for the Bed, Bath, and Beyond storefront.

Address: 14802-14860 South Military Trail

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

Authorized Agent: Michael Kanoff

Planner: Waltayvis Carruthers, Assistant Planner; carruthersw@mydelraybeach.com

Waltayvis Carruthers, Assistant Planner entered Project File 2022-171 into the record.

Exparte

Todd L'Herrou- None

Price Patton- None

John Brewer-None

Steven Cohen-None

Annette Gray-None

Carol Perez- None

Applicant Presentation

Raquel Rodriguez, BBB Plaza Associates; 14802-14860 S Military Trail

Staff Presentation

Waltayvis Carruthers, Assistant Planner presented the project from a Microsoft PowerPoint presentation.

Rebuttal/Cross

None

Public Comment

None

Board Comments

Steven Cohen noted that there is a lot of grey color but is supportive of the color change.

Price Patton requested clarification from the applicant regarding the rendering presented to the Board.

John Brewer suggested that accent plantings be installed near the structure.

Annette Gray suggested that the color blue should be incorporated in other sections of the building.

Todd L'Herrou recommended that the color blue should be incorporated within the square accents on the columns.

MOTION to move approval, as amended, of the color changes color change for the Bed Bath and Beyond Plaza, to change the existing building walls, columns, ceilings, and crowns from shades of beige or tan to several shades of grey and silver for the majority of the plaza, and from beige or tan trim to a dark blue color for the Bed, Bath, and Beyond storefront by finding that the request is consistent with the Land Development Regulations and the Comprehensive Plan and to modify the color change for the decorative squares on the columns from grey to the blue Bed Bath and beyond store front color was made by Annette Gray and seconded by Price Patton.

MOTION Carried 4-2

DISSENTING Price Patton and John Brewer

B. 500 NE 5th Avenue (2022-181): Consideration of a color change from the existing building colors of light blue and yellow to base white and changing the colors of the existing awnings and canopies from green to gray.

Address: 500-506 NE 5th Avenue

PCN:12-43-46-09-33-001-0010

Authorized Agent: Peter Harrigan

Planner: Waltayvis Carruthers, Assistant Planner; carruthersw@mydelraybeach.com

Waltayvis Carruthers, Assistant Planner entered Project File 2022-181 into the record.

Exparte

Todd L'Herrou- None

Price Patton- None

John Brewer-None

Steven Cohen-None

Annette Gray-None

Carol Perez- None

Applicant Presentation

Ray Powell, Interlock Properties, 466 NE 5th Avenue Delray Beach, FL 33483

Staff Presentation

Waltayvis Carruthers, Assistant Planner presented the project from a Microsoft PowerPoint presentation.

Rebuttal/Cross

Ray Powell noted that the awning located adjacent to the chiropractor's office will be consistent throughout the exterior of the building.

Public Comment

None

Board Comments

Annette Gray recommended that additional color should be incorporated into the design.

Carol Perez asked the applicant about the previously approved metal roofing and the location of the proposed awnings.

Steven Cohen is supportive of the building color and awning colors.

Todd L'Herrou is supportive of the changes but would have preferred additional color be incorporated in the design.

MOTION to move approval of the color change request from shades of light blue and yellow on the existing buildings to base white on the body of the structure, and gray for the awnings for the property located at 500-506 NE 5th Avenue, by finding that the request is consistent with the Land Development Regulations and the Comprehensive Plan was made by Price Patton and seconded by Steven Cohen.

MOTION Carried 5-1

DISSENTING Annette Gray

C. Lynn Townhomes (2021-195): Consideration of a Class V Site Plan, Landscape Plan, and Architectural Elevations for the construction of a 3-unit townhome development.

Address: 712 NE 8th Avenue

PCN: 12-43-46-09-32-000-0230

Applicant/Agent: Jared Collin; jared@collinbuilders.com

Planner: Jennifer Buce; buce@mydelraybeach.com

Jennifer Buce, Planner entered Project File 2021-195 into the record.

Exparte

Todd L'Herrou- None

Price Patton- None

John Brewer-None

Steven Cohen-None

Annette Gray-None

Carol Perez- Drive by the site

Applicant Presentation

Jared Collin, Collin Builders; 4030 Murano Bay Drive, Boynton Beach, FL 33435

Staff Presentation

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

Rebuttal/Cross

Jared Collin noted that several color schemes were considered, and it was determined that the original color scheme was the most appropriate.

Jennifer Buce requested clarification from the applicant regarding the proposed landscaping as the renderings presented to the Board showed a decreased amount of vegetation. It was noted by the applicant the trees in the rendering were removed to better show the proposed architectural changes.

Public Comment

None

Board Comments

John Brewer had a question regarding the density level indicated on the staff report.

Annette Gray is not supportive of the design but noted that the revised elevation was an improvement from previous renderings.

Todd L'Herrou noted that the applicant has addressed the previous concerns noted by the Board while adhering to the architectural style.

Carol Perez is supportive of the proposed renderings as the applicant addressed her previous comments.

Steven Cohen is supportive of the design due to the added windows.

Price Patton is supportive of the design and added that the Palm Trail HOA was supportive of the project.

MOTION to move approval of the Class V (2021-195) Site Plan, Landscape Plan, and Architectural Elevations for Lynn Townhomes at 712 NE 8th 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 Price Patton and seconded by Steven Cohen.

MOTION Carried 6-0

D. Opal Grand Hotel (2020-106): Consideration of a Class II Site Plan Modification, Landscape Plan, and Architectural Elevations for the Opal Grand (fka Marriott) associated with the construction of a raised pool deck above an enclosed vehicular accessway from the north parking lot to the main entrance.

Address: 10 North Ocean Boulevard

PCN: 12-43-46-16-E3-003-0010

Owner/Applicant: Ocean Properties LTD/GE Architecture Inc.; Gary Eliopoulos; Gary@eliarch.com

Planner: Jennifer Buce; buce@mydelraybeach.com

Jennifer Buce, Planner entered Project File 2020-106 into the record.

Exparte

Todd L'Herrou- None
Price Patton- None
John Brewer-None
Steven Cohen-None
Annette Gray-None
Carol Perez- 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 PowerPoint presentation.

Rebuttal/Cross

None

Public Comment

None

Board Comments

Annette Gray was supportive of the proposed changes.

Carol Perez inquired from the applicant regarding the underground drainage that will be utilized in the tunnel. Ms. Perez had no concerns regarding the proposed landscaping.

Steven Cohen asked the applicant regarding the proposed use of the deck area.

Price Patton asked the applicant about the vehicle clearance in the tunnel.

John Brewer is supportive of the change.

Todd L'Herrou asked the applicant if parking will be prohibited in the tunnel.

MOTION to move approval of the Class II Site Plan Modification (2020-106) associated with the construction of a raised pool deck above an enclosed vehicular accessway from the north parking lot to the main entrance for the Opal Grand Hotel located at 10 North Ocean Boulevard, finding that the request is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations was made by John Brewer and seconded by Carol Perez.

MOTION Carried 6-0

E. 325 Shoppes on Atlantic Avenue (2022-131): Provide a recommendation to the City Commission for a waiver request regarding a reduction to the front setback requirement associated with a Class III Site Plan Modification for modifications to the front elevation

including the removal of the arcade, addition of a total of 396sf along the front, and modifications to the rear elevation with new canopies and doors. Applicant/Property
Owner: 325 East Atlantic Avenue LLC

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- Received email from a resident.

Price Patton- Received email from a resident.

John Brewer-None

Steven Cohen-None

Annette Gray-None

Carol Perez- Received email from a resident and drove by the site.

Applicant Presentation

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

Staff Presentation

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

Rebuttal/Cross

Gary Eliopoulos noted that the building is not located within a historic district and the building is not designated as a historic structure.

Amy Alvarez noted that the removal of the arcade necessitates the need for the waivers. If the building was designated a historic structure the property owner would still be able to make modifications if the modifications are in line with the historic character of the structure.

Public Comment

Alice First, 707 Place Tavant. Ms. First opposed the proposed changes as it removes the charm of Atlantic Avenue.

Board Comments

Carol Perez requested clarification from staff regarding the front setback as it is currently an existing nonconformity. Ms. Perez was concerned with the pedestrian experience and suggested that an awning be installed. Ms. Perez did not see the arcade as being architecturally significant.

Steven Cohen requested clarification as to what was being presented before the Board and the proposed changes to the pedestrian access along Atlantic Avenue.

Price Patton inquired if the arcade was removed if the façade would still be nonconforming in regard to the required setbacks. Mr. Patton was not supportive of recommending the waiver as the waiver would change the historic nature of the building.

John Brewer noted that the proposed modifications would add retail space.

Annette Gray is not supportive recommending the waiver as the property owner is compounding the nonconformity by removing the arcade. Ms. Gray indicated that removal of the arcade will remove some of the character of the building.

Todd L'Herrou is in support of recommending the waiver as the proposed changes will make the building architecturally consistent with other buildings located along Atlantic Avenue and will improve the pedestrian experience.

MOTION to move to recommend approval of the waiver request for 325 Shoppes on Atlantic Avenue at 325 East Atlantic Avenue (2022-131) to reduce the front setback, streetscape dimension, and storefront setback requirements from 0-feet to approximately 11 feet, 4 inches to 0-feet to approximately 7 feet, 9 inches, whereas a minimum of 15 feet are required, by finding that the request meets the criteria set forth in the Land Development Regulations was made by Carol Perez and seconded by John Brewer.

MOTION Carried 5-1

DISSENTING Annette Gray

F. 314 NE 3rd Avenue (2022-074): Consideration of a Class III Site Plan, Landscape Plan and a Landscape Waiver for modifications, an addition, and change of use to the existing warehouse building to convert it into an office use.

Address: 314 NE 3rd Avenue PCN: 12-43-46-16-01-081-0170

Applicant / Agent: Ocean Parker Delray LLC / Jeff Costello, JC Planning Solutions; jcostello@jcplanningsolutions.com

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

Julian Gdaniec, Senior Planner entered Project File 2022-074 into the record.

Exparte

Todd L'Herrou- Spoke to Jeff Costello about the project

Price Patton- Spoke to Jeff Costello about the project

John Brewer- Spoke to Jeff Costello about the project

Steven Cohen-None

Annette Gray-None

Carol Perez- Spoke to Jeff Costello about the project

Applicant Presentation

Jeff Costello, JC Planning Solutions; 981 Delray Lakes Dr, Delray Beach, FL 33444

Staff Presentation

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

presentation.

Rebuttal/Cross

None

Public Comment

None

Board Comments

John Brewer is supportive of the changes as the changes are an improvement to the existing structure and the area.

Price Paton is supportive of the proposed changes and hopes that it will spur development in the arts district.

Steven Cohen is supportive of the project.

Carol Perez was supportive of the proposed changes and the proposed landscaping plan.

Annette Gray is supportive of the project and the requested waiver.

Todd L'Herrou is supportive of the project and was appreciative that street trees were provided as they were not required by the City's Land Development Regulations.

MOTION to move approval of the Class III (2022-074) Site Plan Modification, Landscape Plan, Architectural Elevations and Waiver for a change of use, modifications, and an addition to the subject property, located at 314 NE 3rd 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 Price Patton and seconded by Annette Gray.

MOTION Carried 6-0

G. Parks at Delray (2021-152): Consideration of a Class IV Site Plan Modification for a 747 dwelling unit development.

Address: Southwest corner of South Congress Avenue and Old Germantown Road

PCN: 12-43-46-30-37-000-0010 and 12-43-46-30-39-001-0010

Authorized Agent: Covelli Design Associates, Inc.

Planner: Scott Pape, AICP, Development Permit Manager; pape@mydelraybeach.com

Scott Pape, Development Permit Manager entered Project File 2021-152 into the record.

Exparte

Todd L'Herrou- None

Price Patton- None

John Brewer-None

Steven Cohen-None

Annette Gray-None

Carol Perez- None

Applicant Presentation

Mike Covelli, Covelli Design Associates; 1209 S Swinton Avenue, Delray Beach, FL 33444

Staff Presentation

Scott Pape, Development Permit Manager presented the project from a Microsoft PowerPoint presentation.

Rebuttal/Cross

Scott Pape noted that vehicles exiting onto Old Germantown Road must travel eastward to minimize traffic entering the adjacent residential neighborhoods. A workforce housing covenant will be required, and traffic improvements need to be made on the intersection of Congress Avenue and Old Germantown Road.

Public Comment

Alice Finst, 707 Place Tavant. Ms. Finst was concerned that adequate parking was provided for the residents and visitors.

Board Comments

Annette Gray inquired about the installation of electric vehicle charging stations.

Carol Perez is supportive of the changes but found the differing architectural styles of the buildings confusing. Ms. Perez has concerns regarding the entry features of each building and inquired as the number of workforce units being offered and at what level they were being offered.

Steven Cohen asked staff regarding the building height restrictions in the Special Activities zoning district, the applicant indicated that the height limitation is 85 feet. Mr. Cohen asked the applicant about the mobility plan of the development.

Todd L'Herrou asked about the phasing of the commercial portion of the project and recommended electrical vehicle charging stations be provided.

Price Patton asked about the ingress and egress onto Congress Avenue and the workforce housing that is being provided.

John Brewer requested clarification from the applicant regarding the traffic study. Mr. Brewer was supportive of the project and hopes that it will spur development in the Congress Avenue corridor.

MOTION to move approval of the request for a Class IV Site Plan 2021-152-SPF-SPR-CL4 for Parks at Delray, by finding that the request is consistent with the Comprehensive

Plan and meets criteria set forth in the Land Development Regulations was made by Price Patton and seconded by Annette Gray.

MOTION Carried 6-0

9. LEGISLATIVE ITEMS

None

A. Staff Comments

Next meetings are August 24th and September 28th.
Board appointments are scheduled to be August 9th.

B. Board Comments

Carol Perez asked if City staff can recommend to applicants that color be incorporated into the proposed projects.

C. Attorney Comments

None

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 **July 27, 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.