

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

MEETING DATE: October 12, 2022

MEETING PLACE: City Commission Chambers

1. CALL TO ORDER

The meeting was called to order by William Bennet, Assistant City Attorney at 5:02 p.m.

2. ROLL CALL

A quorum was present.

Members Present: Dana Adler, Benjamin Baffer, Annette Gray, Carol Perez, Linda Purdo and Alison Thomas

Absent: Steven Cohen

Staff Present: William Bennett, Assistant City Attorney; Amy Alvarez, Principal Planner; Julian Gdaniec, Senior Planner; Jennifer Buce, Planner; Susana Rodrigues, Planner and Rochelle Sinisgalli, Board Secretary.

3. ELECTION OF OFFICERS

William Bennett announced the process of electing officers.

A. Motion made by Annette Gray to nominate Dana Adler as Chairman and seconded by Carol Perez.

Motion Carried 6-0

B. Motion made by Annette Gray to nominate Carol Perez as Vice Chairman and seconded by Linda Purdo.

Motion Carried 6-0

C. Motion made by Dana Adler to nominate Annette Gray as 2nd Vice Chairman and seconded by Linda Purdo.

Motion Carried 6-0

William Bennett explained that Consent Applications on this evening's agenda are more minor with less or no issues. The Board can pull and add to the next meeting agenda-Quasi Judicial items.

4. APPROVAL OF AGENDA

MOTION to APPROVE the October 12, 2022, agenda with an amendment to move item 10E to Item 10AA by Annette Gray and seconded by Carol Perez.

Motion Carried 6-0

5. MINUTES

Motion to approve the minutes A-E (4/27/22, 5/25/22, 6/22/22, 7/27/22, and 8/24/22) was made by Carol Perez and seconded by Annette Gray.

Motion Carried 6-0

6. SWEARING IN OF THE PUBLIC

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

7. COMMENTS FROM THE PUBLIC

None

8. PRESENTATIONS

None

9. CONSENT APPLICATIONS

MOTION to APPROVE the consent applications by Annette Gray and seconded by Carol Perez.

Motion Carried 6-0

10. QUASI-JUDICIAL HEARING ITEMS

AA. Pompey Park (2022-134): Consideration of a Class V Site Plan, Landscape Plan, Architectural Elevations and Landscape Waivers for a recreation center, aquatic complex, athletic fields, and associated site improvements.

Address: 1101 NE 2nd Street

PCN: 12-43-46-17-00-000-3140; -3130; -3160

Applicant / Agent: City of Delray Beach / Kevin Matthews, Public Works; matthewsk@mydelraybeach.com

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

Julian Gdaniec, Senior Planner entered Project File 2022-134 into the record.

Exparte

Dana Adler-None

Carol Perez-None

Annette Gray-None

Linda Purdo-None

Benjamin Baffer-None

Alison Thomas-None

Applicant Presentation

Sam Metott, Parks and Recreation Director, City of Delray Beach

Staff Presentation

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

Rebuttal/Cross

None

Public Comment

Yvonne Odom, 3905 Lowson Boulevard, Delray Beach FL 33445. Ms. Odom was excited and supportive of the new design of Pompey Park.

Board Comments

Linda Purdo was supportive of the proposed design and the level of community involvement in the design of the new park.

Benjamin Baffer was concerned that the existing oak trees located adjacent to the parking area, may be damaged or killed during construction.

Annette Gray suggested that a green hedge be installed to screen the parking areas and the existing oak trees be relocated. Ms. Gray asked if bicycle racks and electric vehicle charging spaces were provided, and if the playground located on the east side of the park will have restrooms and water fountains. Julian Gdaniec responded yes regarding bicycle racks. Julio Sanchez said that there will be 48 bicycle spaces and 4 charging stations.

Carol Perez was supportive of the proposed site plan and recommended that trees which were provided in excess of what is required by the Land Development Regulations, be categorized as a large shrub instead of a tree. This recategorization would negate the need for the waiver for Land Development Regulation 2.4.7 (B)(5) and 4.6.16 (E)(5). Ms. Perez indicated that all trees that were being installed should meet the minimum height requirements to provide needed shade. Ms. Perez echoed Ms. Gray's recommendation that a green hedge be installed around parking areas where possible.

Sam Metott said that the destination playground is shaded. Ms. Perez suggested to leave out some of the concrete to leave room for trees.

Alison Thomas recommended that a hedge be installed around parking areas at a height that would not impede public safety.

MOTION to move approval of the Class V Site Plan (2022-134), Landscape Plan, Architectural Elevations and Waivers for Pompey Park a recreation center, aquatic complex, athletic fields, and associated site improvements, located at 1101 NW 2nd Street, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations as amended to include a hedge in the areas where the waiver was requested between the vehicular use area and the parking lot, and to put the trees that are 10 foot high into a different category in the plant list and to take them out of the trees category, was made by Carol Perez and seconded by Annette Gray.

MOTION Carried 6-0

A. Delray Landing Plaza (2022-261): Consideration of an amendment to the Master Sign Program for the Delray Landing Plaza located at 5026 West Atlantic Avenue.

Address: 5026 West Atlantic Avenue

PCN: 12-42-46-14-24-001-0000

Owner/Agent: KP Landing LLC and PEBB Manager, LLC; jkalkowski@pebbent.com; American/Interstate Sign crafters/Robin Intoppa; rintoppa@signcrafters.com

Planner: Jennifer Buce; buce@mydelraybeach.com

Jennifer Buce, Planner, entered Project File 2022-261 into the record.

Exparte

Dana Adler-None

Carol Perez-None

Annette Gray-None

Linda Purdo-None

Benjamin Baffer-None

Alison Thomas-None

Applicant Presentation

Robin Intoppa, Interstate Sign Crafters, 130 Commerce Rd, Boynton Beach, FL 33426

Staff Presentation

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

Rebuttal/Cross

None

Public Comment

None

Board Comments

Carol Perez and Linda Purdo asked the applicant about the color of the Sprouts building.

Anette Gray was supportive of the proposed Master Sign Program amendment.

Benjamin Baffer asked if the existing signs were in compliance with the City's Land Development Regulations.

MOTION to move approval of the amendment to the Master Sign Program (2022-261) for Delray Landing located at 5026 West Atlantic Avenue, by finding that the request meets the criteria set forth in the Land Development Regulations, was made by Carol Perez and seconded by Anette Gray.

MOTION Carried 6-0

B. Delray Place South (2022-229): Consideration of an amendment to the Master Sign Program for Delray Place South located at 1911 South Federal Highway.

Address: 1911 South Federal Highway

PCN: 12-43-46-28-06-001-0010

Owner/Agent: Delray Place South, LLC; Mark Gregory; Gregorymg1@aol.com

Planner: Jennifer Buce; buce@mydelraybeach.com

Jennifer Buce, Planner, entered Project File 2022-229 into the record.

Exparte

Dana Adler-None

Carol Perez-None

Anette Gray-None

Linda Purdo-None

Benjamin Baffer-None

Alison Thomas-None

Applicant Presentation

Mark Gregory, 18 Salina Avenue, Delray Beach, FL 33483

Joe Carosella, Property Owner, 2201 Cocoanut Road, Boca Raton FL 33432

Staff Presentation

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

Rebuttal/Cross

Jennifer Buce noted that the third Dunkin Donuts sign noted by Mr. Gregory in his presentation was not noted in the paperwork submitted.

Mark Gregory stated that the third sign at Dunkin Donuts is noted in the paperwork.

Public Comment

None

Board Comments

Benjamin Baffer asked if the Tropic Square sign will be removed.

Annette Gray confirmed that the new approved signage color would be red, black, and white.

Carol Perez asked if Dunkin Donuts changed its signage and if the existing signage would change. Ms. Perez indicated that all signage on the property need to match.

Linda Purdo requested clarification if new tenants need to appear before the Board for any new signage at that location.

MOTION to move approval of the amendment to the Master Sign Program (2022-229) for Delray Place South located at 1911 South Federal Highway, by finding that the request meets the criteria set forth in the Land Development Regulations was made by Annette Gray and seconded by Linda Purdo.

MOTION Carried 6-0

C. Lisa Building (2022-252): Consideration to establish a Master Sign Program for the property located at 47 SE 5th Avenue, associated with the multi-tenant building known as the Lisa Building.

Address: 47 SE 5th Avenue

PCN: 12-43-46-16-01-109-0091

Owner/Agent: 104-106 Delancey Realty LLC; Art Company; denisewilliams123@att.net

Planner: Jennifer Buce; buce@mydelraybeach.com

Jennifer Buce, Planner, entered Project File 2022-252 into the record.

Exparte

Dana Adler-None

Carol Perez-None

Anette Gray-None

Linda Purdo-None

Benjamin Baffer-None

Alison Thomas- None

Applicant Presentation

Melissa Weatherwax, Art Sign Company, 835 NW 6th Ave, Fort Lauderdale, Florida, 33311

Staff Presentation

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

Rebuttal/Cross

None

Public Comment

None

Board Comments

Annette Gray noted that the applicant has not provided a color palate for the Master Sign Plan, and that the purpose of a Master Sign Plan is to provide criteria for future signage at that location without the need to appear before the Board.

Benjamin Baffer and Linda Purdo asked if it was typical to have a directory sign for a building of this size.

Carol Perez recommended that art deco signage be proposed, and that the directory signage was not architecturally matching the architectural style of the structure.

Alison Thomas recommended that color limitations be imposed by the Master Sign Program to prevent an excessive amount of differing sign colors.

Dana Adler was in support of the proposed Master Sign Plan with no color limitations, or a color plate provided as the building only contains five units and additional colors would provide needed color to the grey building. Ms. Adler noted that the directory sign is odd but is needed.

MOTION to postpone this item with direction, was made by Annette Gray and seconded by Carol Perez.

MOTION Carried 6-0

A five minute break was announced and the meeting resumed after the break.

D. 382 SE 2nd Avenue (2022-206): Consideration of a Class I Site Plan Modification associated with the installation of new impact storefront windows and doors to replace existing swing doors and overhead garage doors.

Address: 382 SE 2nd Avenue

PCN: 12-43-46-16-01-080-0130

Authorized Agent: Mark Borg

Planner: Susana Rodrigues, Planner; rodriguess@mydelraybeach.com

Susana Rodrigues, Planner, entered Project File 2022-206 into the record.

Exparte

Dana Adler-None

Carol Perez-None

Anette Gray-None

Linda Purdo-None

Benjamin Baffer-None

Alison Thomas-None

Applicant Presentation

Mark Borg, Steven E Myott Architects Inc., 639 East Ocean Avenue, Boynton Beach FL, 33435

Staff Presentation

Susana Rodrigues, Planner, presented the project from a Microsoft PowerPoint presentation.

Rebuttal/Cross

None

Public Comment

None

Board Comments

Annette Gray noted that the proposed changes are an improvement to the current elevation of the structure.

MOTION to move approval of the Class I Site Plan Modification (2022-206) associated with the installation of new impact storefronts, located at 382 SE 2nd 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 Annette Gray and seconded by Carol Perez.

MOTION Carried 6-0

F. 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

Dana Adler-None

Carol Perez-None

Anette Gray-None

Linda Purdo-None

Benjamin Baffer-None

Alison Thomas-None

Applicant Presentation

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

Staff Presentation

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

Rebuttal/Cross

Amy Alvarez asked the applicant to clarify the color scheme of the building.

Public Comment

None

Board Comments

Benjamin Baffer asked about the use of the rooftop. The applicant noted that the area is utilized for mechanical units and cannot be utilized by the residents. Mr. Baffer noted that the massing of the structure exceeds what is typically seen in the Osceola neighborhood.

Carol Perez noted that a landscape plan was not provided

Annette Gray echoed Mr. Baffer's concerns regarding the scale and massing of the structure.

Dana Adler was supportive of the proposed design of the structure but disapproved of the building color.

MOTION to table the item 10F to be 10I was made by Annette Gray and seconded by Carol Perez.

MOTION Carried 6-0

G. 917 NE 8th Avenue (2022-100): Consideration of a Class V Site Plan, Landscape Plan, Architectural Elevations and Landscape Waiver for a three-unit townhouse development.

Address: 917 NE 8th Avenue

PCN: 12-43-46-09-16-004-0080

Applicant / Agent: 917 NE 8th Ave LLC / Thomas Carney; tfc@carneystanton.com

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

Julian Gdaniec, Senior Planner, entered Project File 2022-100 into the record.

Exparte

Dana Adler-None

Carol Perez-None

Anette Gray-None

Linda Purdo-None

Benjamin Baffer-None

Alison Thomas-None

Applicant Presentation

Tom Carney, Carney Stanton PL 135 SE 5th Avenue Suite 202 Delray Beach FL 33483

Joseph Kronberg Kron Capital FL LLC 190 SE 5th Avenue Delray Beach FL 33483

Staff Presentation

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

Rebuttal/Cross

Julian Gdaniec noted that staff does not make an argument in favor or against a waiver.

Public Comment

None

Board Comments

Carol Perez indicated that she was in favor of granting the waiver and was in favor of granting approval of the Class V site plan modification, as the architecture was unique and the proposed landscaping of native species was well designed.

Annette Gray asked about proposed landscaping as shown in a streetscape rendering. Ms. Gray had concerns regarding the architectural style of the proposed structure.

Benjamin Baffer did not find that the architectural style in good taste.

Linda Purdo recommended that landscaping is utilized to soften the building massing.

Dana Adler noted that the design is unique within Delray and was in favor of granting approval.

MOTION to move approval of the Class V (2022-100) Site Plan, Landscape Plan with waiver, Architectural Elevations and for a three-unit multi-family townhouse development, located at 917 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 Carol Perez and seconded by Linda Purdo.

MOTION Carried 5-1

DISSENTING Benjamin Baffer

H. Pierre Delray II (2022-080): Provide a recommendation to the City Commission regarding three requested waivers in association with a Class IV Site Plan Modification to expand the previously approved three-story mixed-use building and parking garage.

Address: 298 E Atlantic Avenue

PCN: 12-43-46-16-01-085-0040; -0050

Applicant / Agent: Pierre Delray Two LLC/ Dunay, Miskel, Backman LLP; Christina Bilenki; cbilenki@dmbblaw.com

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

Julian Gdaniec, Senior Planner, entered Project File 2022-080 into the record and clarified that there are only the first two waivers.

Exparte

Dana Adler-None

Carol Perez-None

Anette Gray-None

Linda Purdo-None

Benjamin Baffer-None

Alison Thomas- None

Applicant Presentation

Christina Bilenki, Dunay, Miskel, and Backman, LLP 14 SE 4th Street Boca Raton, FL 33432

Staff Presentation

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

Rebuttal/Cross

None

Public Comment

Alice First, 707 Place Tavant, Delray Beach FL 33445. Ms. First was concerned that the architectural style will not match the other buildings along Atlantic Avenue.

Board Comments

Linda Purdo was in favor of recommending the waivers as it extends what was already approved.

Benjamin Baffer had no issue with granting the waivers as they are against the railroad right of way.

Annette Gray was in favor of granting the waivers.

Carol Perez had concerns regarding the west side-interior setback as 5 feet of landscaping should be provided.

Alison Thomas was in favor of granting the waivers.

Dana Adler was in favor of granting the waivers they relate to something that has been previously approved.

MOTION to move a recommendation of approval to the City Commission of the waiver request to LDR Section 4.4.13(D)(1)(b)(2)(b) to reduce the west setback to 2 feet, 3 inches wherein 5 feet is required, associated with a Class IV Site Plan Modification (2022-080) for the property located at 298 East Atlantic Avenue, by finding that the request meets the criteria in LDR Sections 2.4.7(B)(5) and 4.4.13(K)(5)(b)(2) was made by Linda Purdo and was seconded by Annette Gray.

MOTION Carried 5-1

DISSENTING Carol Perez

MOTION to move a recommendation of approval to the City Commission of the waiver request to LDR Section 4.4.13(E)(4)(f)(1)(f) to allow a third story above the arcade, whereas arcades are limited to two-stories when located within the right-of-way, associated with a Class IV Site Plan Modification (2022-080) for the property located at 298 East Atlantic Avenue, by finding that the request meets the criteria in LDR Sections

2.4.7(B)(5) and 4.4.13(K)(5)(b)(2) was made by Carol Perez and seconded by Annette Gray.

MOTION Carried 6-0

The Board formally called back item 2021-251 for consideration that had been tabled previously in this meeting. The landscape plan that was submitted with the most recent submission has been physically printed and provided to all six Board members.

Public Comment

None

Rebuttal/Cross

None

Board Comments

Carol Perez had no concerns regarding the proposed landscaping.

Annette Gray asked if staff approved of the landscaping plan after the street frontages were decided.

MOTION to move approval of the Class V (2021-251) Site Plan, Landscape Plan, and Architectural Elevations for 408 SE 2nd Street, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations was made by Linda Purdo and seconded by Annette Gray.

MOTION Carried 5-1

DISSIDENTING Benjamin Baffer

11. Reports and Comments

A. City Staff

- Amy Alvarez explained that the binders provided, contain helpful information to all Board members.
- Upcoming Board meetings for the remainder of the year will be held on October 26th, November 9th, and December 14th.
- The green ordinance first reading was October 11, 2022.

B. Board Attorney

- William Bennett welcomed the new Board members.
- Mr. Bennett noted that the City Commission will be reviewing the generally accepted architectural styles.

C. Board Members

- Benjamin Baffer asked about the Beach Overlay District and remedies of noncompliance with the requirements and regulations within that district.

11. ADJOURN.

There being no further business to come before the Board, the meeting was adjourned at 9:07 p.m.

DRAFT

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 **October 12, 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.