

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

MEETING DATE: October 21, 2019

MEETING PLACE: Commission Chambers, City Hall

I. CALL

The meeting was called to order by William Bennett, Assistant City Attorney at 6:00 P.M.

II. ROLL

A quorum was present at the call to order. Members present were Kevin Osborn, Rob Long, Juli Casale, Julen Blankenship, Alex DeAngelis, Daniel Stepner and Joy Howell. No one was absent. Staff present was Anthea Gianniotis, Development Services Director; Christine Stivers, Senior Planner; Rebekah Dasari, Senior Planner; Amy Alvarez, Senior Planner; and Diane Miller, Board Secretary.

III. MINUTES

No Minutes

IV. APPROVAL OF AGENDA

Motion to approve the Agenda as stated.

ALL IN FAVOR

V. ELECTION OF OFFICERS

William Bennett announced that the next item on the Agenda will be Election of Officers and he announced the process of electing officers.

Motion made by Joy Howell and seconded by Juli Casale to nominated Kevin Osborn as Chairman.

AIF - Kevin Osborn was selected as Chairman.

Motion made by Julen Blankenship and seconded by Rob Long to nominate Rob Long as Vice chairman.

AIF - Rob Long was selected as Vice Chairman.

Motion made by Juli Casale and seconded by Joy Howell to nominate Joy Howell as 2nd Vice Chairman.

AIF - Joy Howell was selected as 2nd Vice Chairman.

VI. SWEARING IN OF THE PUBLIC

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

VII. COMMENTS FROM THE PUBLIC

None

VIII. PRESENTATION

William Bennett, Assistant City Attorney presented information on the Sunshine Laws.

XI. QUASI-JUDICIAL HEARING ITEMS

A. **Corey Isle Plat (2019-245):** Consideration of the Preliminary Plat and Conditional Certification of the Final Plat to establish two fee-simple lots known as the Corey Isle Plat.

Exparte Communication. None

Chris Stivers, Senior Planner submitted File 2019-245 into the record.

Applicant Presentation

Tara Toto, CRA

Staff Presentation

Amy Alvarez presented the project through a Power Point presentation.

Public Comments. None

Board Comments

Kevin Osborn. Asked about the boundaries of the plat.

Motion to recommend approval of the preliminary plat and conditional certification of the Final Plat for the Corey Isle Plat, by finding that the request is consistent with respect to the Land Development Regulations Section 2.4.5(J) - Major Subdivisions, Chapter 3 - Performance Standards, and the policies of the Comprehensive Plan. Motion by Rob Long, seconded by Julen Blankenship.

MOTION CARRIED 7-0

B. 1009-1023 Casuarina Road Replat (2019-055): Consideration of the Preliminary Plat and Certification of the Final Plat to establish six fee-simple lots known as Casuarina Road Replat.

Exparte Communication. None

Christine Stivers submitted File 2019-055 into the record.

Applicant Presentation

Tom Carney

Staff Presentation

Christine Stivers presented the project through a Power Point presentation.

Public Comments. None

Board Comments. None

Motion to **APPROVE** the preliminary plat and certification of the Final Plat for the Casuarina Road Replat, by finding that the request is consistent with respect to the Land Development Regulations Section 2.4.5(J)(Major Subdivisions), Chapter 3 (Performance Standards) and the policies of the Comprehensive Plan. Motion by Julen Blankenship, seconded by Rob Long.

MOTION CARRIED 7-0

C. 13132 & 13038 Banyan Court (2018-162) Provide a recommendation to the City Commission on a privately-initiated rezoning request for three (3) parcels totaling 6.68± acres from Palm Beach County Agricultural Residential (AR) / Residential High (RH) to City of Delray Beach Planned Residential Development, 6 units / acre (PRD-6), and the associated master development plan and requested waivers.

Exparte Communication. Juli Casale, she spoke to Bradley Miller and Larry Baum, Kevin Osborn, email from someone in the public.

Rebekah Dasari, Senior Planner submitted File 2018-162 into the record.

Applicant Presentation

Bradley Miller, Miller Land Planning

Richard Jones, Architect

Staff Presentation

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

Public Comments. None

Board Comments

Joy Howell. In the green area, maybe a swing set.

Daniel Stepner. What is the discharge rate for storm water? *Bradley Miller. Not sure of the calculations. Would need to get that information from the engineer.*

Julen Blankenship. Good change to the area.

Rob Long. Good change to the area.

REZONING

Motion to recommend approval of Ordinance No. 38-19, a privately-initiated request to rezone 6.68± acres from Palm Beach County Agricultural Residential (AR) and Residential High (RH) to City Planned Residential Development, 6 du/acre (PRD-6), finding that the rezoning and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations. Motion by Julen Blankenship, seconded by Joy Howell.

MOTION CARRIED 7-0

MASTER DEVELOPMENT PLAN AND WAIVERS

Motion to recommend approval of the Banyan Court Master Development Plan for 40 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, a waiver from LDR Section 4.3.4(k) to reduce the required frontage for corner lots from 60 feet to 40 feet, and a waiver from LDR Section 6.1.3(B)(1)(b) to reduce the width of internal sidewalks from 5 feet to four feet; finding that the approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations. Motion by Julen Blankenship, seconded by Joy Howell.

MOTION CARRIED 7-0

X. LEGISLATIVE ITEMS

A. LDR Amendment, West Settlers Residential Incentive: Provide a recommendation to the City Commission regarding Ordinance No. 33-19, a privately-initiated request to amend the Land Development Regulations Section 4.4.13(H)(1), "Residential Incentives," to allow residential incentives in the form of increased density on certain lots that do not contain contributing historic structures or non-contributing structures that are more than 30 years old within the West Settlers Historic District portion of the West Atlantic Neighborhood Sub-district.

Applicant Presentation

Tim Hernandez on behalf of Atlantic Grove Partners

Staff Presentation

Anthea Gianniotis presented through a Power Point presentation.

Public Comments

Gereldine Whye

Christine Morrison

Board Comments

Juli Casale. How much workforce housing? 20%. What about 2 lots - are they privately owned?

Julen Blankenship. Existing? *16 dwelling per acre go to 17 ½*

Joy Howell. *HPB vote failed. Vote will be brought forward.*

Alex DeAngelis. What can be built now? *12 du per acre*

Motion Julen Blankenship to recommend approval to the City Commission of Ordinance No. 33-19, as amended, amending the Land Development Regulations Section 4.4.13 "Central Business (CBD) District", Subsection (H)(1), "Residential Incentives", by finding that the amendment as amended and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in Land Development where the amendment is 30 units per acre be 20 units per acre made. Motion by Julen Blankenship. Seconded by Daniel Stepner.

MOTION CARRIED 5-2, Dissenting Juli Casale and Joy Howell

B. New CBD Sub-District: Provide a recommendation to the City Commission regarding three ordinances:

1. Ordinance No. 34-19, a Future Land Use Map Amendment from General Commercial (GC) or Transitional (TRN) to Commercial Core (CC) for 46 parcels totaling approximately 39.42 acres, generally located within the area bounded on the north by SE 4th Street, on the south by SE 10th Street, on the east by SE 7th Avenue, and on the west by SE 4th Avenue, all of which are adjacent to either SE 5th Avenue or SE 6th Avenue; and,
2. Ordinance No. 35-19, a rezoning from General Commercial (GC), Neighborhood Commercial (NC), or Professional Office District (POD) to Central Business District (CBD) for 46 parcels totaling approximately 39.42 acres, generally located within the area bounded on the north by SE 4th Street, on the south by SE 10th Street, on the east by SE 7th Avenue, and on the west by SE 4th Avenue, all of which are adjacent to either SE 5th Avenue or SE 6th Avenue; and,
3. Ordinance No. 36-19, an amendment to the Land Development Regulations, Section 4.4.13 "Central Business District (CBD)", establishing a new CBD Sub-district for the bounded on the north by SE 4th Street, on the south by SE 10th Street, on the east by SE 7th Avenue, and on the west by SE 4th Avenue, all which are adjacent to either SE 5th Avenue or SE 6th Avenue.

Applicant Presentation

Dana Little, Treasure Coast Regional Council

Marcela Camblor, Treasure Coast Regional Council

Staff Presentation

Anthea Gianniotis, Development Services Director presented through a Power Point presentation.

Public Comments

James Quillen, 925 SE 2nd. Said he did not know about the meeting. *Ms. Gianniotis responded that the department sent 600 mailings out.*

Michael Weiner

Lorraine Katz

Laurie Nesbith

John Mendsella

Liz Maque

Cindy Burns

Thomas Bongiorno

James Quillen

Bob Sparks

Trish Abeloff

Board Comments

Joy Howell. Why is the plan different from East & West?

Kevin Osborn. Why push this amendment through before the Comprehensive Plan? *It would be for timing, mailings and meetings.*

FUTURE LAND USE MAP AMENDMENT

Motion to recommend approval of Ordinance No. 34-19, a request for a Future Land Use Map amendment from General Commercial (GC) and Transitional (TRN) to Commercial Core (CC), 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. Motion by Julen Blankenship, seconded by Alex DeAngelis.

MOTION CARRIED 7-0

REZONING

Motion to recommend approval of Ordinance No. 35-19, a request for a rezoning from General Commercial (GC), Neighborhood Commercial (NC), and Professional Office District (POD) to Central Business District (CBD), finding that the rezoning and approval thereof is consistent with the Comprehensive Plan and meets the applicable criteria set forth in the Land Development Regulations. Motion by Julen Blankenship, seconded by Rob Long.

MOTION CARRIED 7-0

TEXT AMENDMENT

Motion to recommend approval of Ordinance No. 36-19, amending LDR Section 4.4.13 “Central Business District (CBD)” to create a new CBD Sub-district, 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

-That the Commission consider constricting certain uses or amending certain uses.

Motion by Julen Blankenship, seconded by Alex DeAngelis.

MOTION CARRIED 7-0

C. Osceola Park Neighborhood 2019 Redevelopment Plan Update: Provide a recommendation to the City Commission on Resolution No. 174-19, regarding the adoption of the Osceola Park Neighborhood 2019 Redevelopment Plan Update.

Amy Alvarez, Senior Planner presented the item.

Applicant Presentation

Erin Sita, Project Manager with KCI Technologies, Inc.

Public Comments

James Quillan

Robert Proctor

Board Comments

None

Motion to move a recommendation of approval to the City Commission on Resolution No. 174-19, to adopt the Osceola Park Neighborhood 2019 Redevelopment Plan Update, finding that the proposed plan is consistent with the Goal, Objective, and Policies of the Comprehensive Plan. Motion by Julen Blankenship, seconded by Daniel Stepner.

MOTION CARRIED 7-0

D. Five-Year Capital Improvement Plan Review: Provide a statement of finding that the proposed Five-Year Capital Improvement Plan for FY 2019-20 through FY 2023-24 and the FY 2019-20 Capital Improvement Budget are consistent with the Comprehensive Plan.

Anthea Gianniotis, Development Services Director presented item to the Board.

The majority of expenditures in the CIP are for roadway repair and maintenance.

Public Comments

None

Board Comments

Juli Casale. Concerned that there is no bike path on Barwick Road.

Daniel Stepner. Costal Partnership

Joy Howell. Funding for Pickel Ball. Do they really want it?

Motion to provide a statement of finding that the proposed Five-Year Capital Improvement Plan for FY 2019-20 through FY 2023-24 and the FY 2019-20 Capital Improvement Budget are consistent with the Comprehensive Plan. Motion made by Julen Blankenship, seconded by Joy Howell.

MOTION CARRIED 7-0

X. REPORTS AND COMMENTS

A. Staff

- Next meeting November 18, 2019

B. Board

- No Comments

C. Attorney

- No Comments

XI. ADJOURN

There being no further business to come before the Board, the meeting was adjourned at 10:30 PM.

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 **October 21, 2019** which were formally adopted and approved by the Board on _____

Diane Miller

Diane Miller

If the Minutes you have received are not completed as indicated above, then this means that these are not the official Minutes. They will become so after review and approval, which may involve some changes.

(These Minutes are a record of the proceedings of this Board. The full audio and video recording of these proceedings are available at:

www.mydelraybeach.com/city-commission/av or a digital copy may be purchased at City Hall.)