

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

MEETING DATE: November 18, 2019

MEETING PLACE: Commission Chambers, City Hall

1. CALL

The meeting was called to order by Kevin Osborn at 6:00 P.M.

2. ROLL

A quorum was present at the call to order. Members present were Kevin Osborn, Chairperson; Rob Long, Vice Chairman, Joy Howell, 1st Vice Chairman Juli Casale, Julen Blankenship, Alex DeAngelis, and Daniel Stepner. No one was absent. Staff present was Anthea Gianniotis, Development Services Director; Rebekah Dasari, Senior Planner; Amy Alvarez, Senior Planner; and Diane Miller, Board Secretary.

3. MINUTES

No Minutes

4. APPROVAL OF AGENDA

Motion to approve the Agenda was made by Joy Howell and seconded by Daniel Stepner.

MOTION CARRIED 7-0

5. 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.

6. COMMENTS FROM THE PUBLIC

None

7. PRESENTATION

None

8. QUASI-JUDICIAL HEARING ITEMS

A. NW 600 Block Redevelopment, Ordinance Nos.41-19 and 42-19 (2019-264, 2019-265):

Provide a recommendation to the City Commission regarding a small-scale Future Land Use Map Amendment from Low Density (LD) to Commercial Core (CC), and a rezoning from Single-family Residential (R-1-A) to Central Business District (CBD) for five parcels totaling approximately 0.752 acres.

Exparte Communication

Daniel Stepner – Talked to residents.

Joy Howell – Talked to the CRA.

Amy Alvarez, Senior Planner, submitted File 2019-264 & 2019-265 into the record.

Applicant Presentation

Tara Toto, CRA

Staff Presentation

Amy Alvarez presented the project through a Power Point presentation.

Public Comments

Donald Robinson

Marsha McLenton

Board Comments

Julen Blankenship – What is the compatibility?

Joy Howell – 2 story building. Is this confirmed?

Tara Toto-CRA-The building is staying at 2 story and the alley is the buffer.

Kevin Osborn – Were notices sent out?

Amy Alvarez-Yes with no responses.

Julen Blankenship – Concerned with the compatibility.

Kevin Osborn – May hold properties for more money.

Motion to postpone the Future Land Use Map amendment to a date certain of December 16, 2019 by Rob Long, seconded by Alex DeAngelis.

MOTION CARRIED 7-0

Motion to postpone the Rezoning to a date certain of December 16, 2019 by Joy Howell and seconded by Juli Casale

MOTION CARRIED 7-0

B. Similarity of Use: Determine if scooter sales can be considered a similar use to other permitted uses in the General Commercial (GC) zoning district, particularly All Terrain Vehicles and Personal Watercraft (File No. 2020-019-SIM-PZB).

Exparte Communication. None

Rebekah Dasari, Senior Planner, submitted File 2020-019 into the record.

Applicant Presentation

Jeffrey Lynn

Staff Presentation

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

Public Comments. None

Board Comments

Kevin Osborn – Where does the scooters and mopeds fit into the “GC”.

Rebekah Dasari-She read specifically from the LDRs to explain.

Julen Blankenship – She saw a Facebook page that talked about ‘Test Drive’.

Jeffrey Lynn-It was stated that this was taken off the page as insurance will not allow this.

Anthea Gianniotis – No Branding. If this is OK for General Commercial, then it’s good for all GC zoned properties. We cannot ‘condition’ the use.

Also, there are two findings that if a Conditional Use is brought before this Board and to the City Commission:

1. Not detrimental
2. Hindering other neighborhoods.

Kevin Osborn – Ask for opinions of the board:

Daniel Stepner-Speed

Joy Howell-Sell in GC + all terrain.

Alex DeAngelis-Not Similar

Julen Blankenship-Move to the City Commission.

William Bennett-P&Z is the deciding factor.

Jeffrey Lynn – Applicant just wants to be in the City.

Board Concerns:

*Test drives

*Inventory

Applicants Concerns:

*The process of submitting a Text Amendment

*Cost

*Submitting again to P&Z

*Submitting to City Commission

*Loss of property

Motion to **APPROVE** that the Planning & Zoning Board finds that the sale and service of motorized scooters is similar to the “sale and service” of All Terrain Vehicles and personal watercraft (wave runners, jet skis), with no outside display, outside storage or outside service, as allowed as a Conditional Use in the General Commercial zoning district made by Julen Blankenship, seconded by Rob Long with discussion.

VOTE WAS DENIED 3-4 Motion Failed (Dissenting was Juli Casale, Joy Howell, Rob Long and Daniel Stepner)

9. REPORTS AND COMMENTS

A. Staff

- Schedule for meetings of 2020.
- Always Delray – December 10th.

B. Board

- Kevin Osborn would like to recommend to City Commission to direct staff to create a text amendment to the LDR’s regarding scooters.
- **MOTION** to recommend to the City Commission to direct staff to change the LDR to define what a scooter and where it belongs in the code, made by Rob Long seconded by Alex DeAngelis.

MOTION CARRIED 7-0

C. Attorney

- No Comments

XI. ADJOURN

There being no further business to come before the Board, the meeting was adjourned at 8:40PM.

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 **November 18, 2019** which were formally adopted and **APPROVED** by the Board on **August 17, 2020**.

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.)