

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

MEETING DATE: April 19, 2021

MEETING PLACE: **Virtual Meeting**

1. CALL TO ORDER

The meeting was called to order by Chris Davey, Chairman at 6:00 P.M.

2. ROLL CALL

A quorum was present.

Members Present: Chris Davey (Chairman), Rob Long (Vice Chairman), Julen Blankenship (2nd Vice Chairman), Joy Howell, Max Weinberg and Allen Zeller.

Members Absent: None

Staff Present: Amy Alvarez, Principal Planner; William Bennett, Assistant City Attorney; Missie Barletto, Director of Public Works; Cynthia Buisson, Assistant Director of Public Works; Jennifer Buce, Planner; and Diane Miller, Board Secretary.

3. APPROVAL OF AGENDA

Motion to approve the April 19, 2021 amended agenda made by Julen Blankenship and seconded by Allen Zeller. The agenda was amended to remove the rezoning request for 4652 133rd Road South at the request of the applicant.

ALL IN FAVOR 6-0

4. MINUTES

January 15, 2021

Motion to approve the meeting minutes by Joy Howell and seconded by Rob Long with the following changes made by Allen Zeller:

Item 9.B., page 5, motion should reflect to read that the motion failed 3-4.

Also, Mr. Zeller would like the board to consider a vote by resolution for minutes after the voting. Mr. Bennett said that he will discuss this at the end of the meeting under Reports and Comments.

ALL IN FAVOR 5-1 Dissenting by Allen Zeller.

5. SWEARING IN OF THE PUBLIC

Chris Davey 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

NOTE: Comments on items that are NOT on the Agenda. Speakers will be limited to 3 minutes.

7. PUBLIC HEARING

A. Annual Infrastructure Improvement Hearing: Review the public comments collected since February 23, 2021 during the Annual Infrastructure Improvement Hearing process and recommend which projects should be forwarded to City Staff for evaluation and inclusion in 2021-2026 Capital Improvements Plan (CIP).

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

Amy Alvarez, Principal Planner submitted and introduced the item into the record.

Public Comments

Christine Morrison-1000 Lawry Street, Delray Beach, FL.

Barbara Szpilka-Verona Wood-3010 Valerna Way, Delray Beach, FL.

Jacob Toddner-2963 Calabria Way-Verona Woods, Delray Beach, FL.

Heidia Dettinger-2996 Gino Way-Verona Woods, Delray Beach, FL.

Bettina Hackert Martinez-2990 Calabria Way-Verona Woods, Delray Beach, FL.

Staff Comments

Cynthia Buisson, Assistant Director of Public Works, spoke on various items for the Annual Infrastructure comments:

- North Swinton Avenue, repaving or resurfacing needed due to bumps.
DOT just finished South Swinton Avenue, from SE 4th to 10th, is completed.
Lake Ida to City limits was awarded for design in the next 2-3 years.
- Lake Ida Road, from North Swinton Avenue to Congress Avenue, resurfacing needed.
The City did a study in 2019 to assess the City roads conditions. We received 2.5 million per year. Not sure how Lake Ida scored; will provide Amy Alvarez with some more information.
- Verona Woods issues.
There were funds reserved for the following roads:
San Remo Way to the end of the street.
Salerno Way to the end of the street
- Old Germantown Road
Will check to see when Old Germantown Road is scheduled for improvement.
- Clean and repair City paver sidewalks.
This is an ongoing effort with the streets Operations Division.
- Require sidewalks with new construction in the Beach Overlay areas.

Allen Zeller. NE 2nd Avenue from Lake Ida to the North - Bike lanes were installed, and now they are being torn out. Ms Buisson said that there was a contractor mistake and it is being replaced.

Chris Davey asked about the bike lane and who was paying for the mistake. Mr. Bennett commented that project was in litigation and there is no comment right now.

Missie Barletto, Director of Public Works, made additional comments on the following:

- Lake Ida Road is a county road and not under the purview of the City for resurfacing.
- Old Germantown Road received a grant, and will commence work in 4 years.
- Lighting in Verona Woods. FPL working on the transition to LED.
- Traffic issues, Homewood Boulevard. The City will work on this road in the next year.
- Palm Trail. The City is evaluating traffic calming strategies in the next few months.
- SE 8th Court, Flooding and no drainage. Constructions will begin near rainy season.
- Marine Way, flooding. Construction not for another 2-3 years, but the City is looking at an Aqua Dam.
- SE 10th Street, Lowson Boulevard will begin construction next year.
- Water quality is a 5-10 year project. Replacing the water tank.

Max Weinberg-Will the Australian Pines be removed? Ms. Barletto said there is no project now.

Rob Long-Discloses that he sits on the Verona HOA board.

Julen Blankenship-Verona Woods lighting. Suggest if we could ask the Commission to address the lighting problem while waiting on FPL.

Allen Zeller-Would like Historic Preservation to be part of saving the trees and make sure the Historic Preservation areas are being protected. Mr. Davey said that is not part of the infrastructure topic under discussion.

8. QUASI-JUDICIAL HEARING ITEMS

A. Starbucks at Bed Bath and Beyond Plaza (2021-057): Consideration of a Master Development Plan Modification for the Bed, Bath and Beyond Plaza located at 14802 South Military Trail to demolish an existing commercial building and construct a restaurant with an outdoor area and drive-thru.

Authorized Agent: Mark Rickards; mark.rickards@kimley-horn.com

Planner: Jennifer Buce; buce@mydelraybeach.com

Jennifer Buce, Planner, entered the File No. 2021-057 into the record.

Exparte Communication

Chris Davey-No

Julen Blankenship-No

Joy Howell-No

Rob Long-No

Max Weinberg-No

Allen Zeller-Visited the Site

Applicant Presentation

Mark Rickards – Kimley Horn

Staff Presentation

Jennifer Buce, Planner, presented the project through a PowerPoint presentation.

Public Comments

None

Board Comments

Allen Zeller asks if hedges along Atlantic Avenue will remain. Mr. Rickards informed the board that they will stay. Mr. Zeller mentioned the stacking and Mr. Rickard said the queuing would be internal. Ms. Blankenship commented that this would take pressure from Dunkin Donuts.

Waiver

Motion to approve the waiver request to LDR Section 4.4.9(G)(3)(e)(2), Minimum Structure Size, to reduce the minimum floor area requirement from 4,000 square feet to 2,564 square feet, for the Starbucks at Bed, Bath and Beyond Plaza, at 14802 S Military Trail by finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.7(B)(5) of the Land Development Regulations made by Julen Blankenship and seconded by Max Weinberg.

MOTION CARRIED 6-0

Master Development Plan

Motion to approval of the Master Development Plan Modification for Starbucks at Bed, Bath and Beyond Plaza, at 14802 S Military Trail by finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations made by Julen Blankenship and seconded by Joy Howell.

MOTION CARRIED 6-0

9. REPORTS AND COMMENTS

A. Staff

- Next meeting: May 17, 2021.
- In person meeting: June 21, 2021
- An appointment to the Board to fill the vacant seat will be made at the next City Commission meeting.

B. Board Attorney

- Mr. Bennett responded to Mr. Zeller's comment from the beginning of the meeting. Mr. Bennett indicated that resolutions for voting on minutes are not

practical and are not able to be done at this time. The City Commission would not have time to vote on this by our next board meeting.

- Amy Alvarez clarified to the board that at the City Commission 1st and 2nd readings for Ordinance No. 03-21 the cover memo to the City Commission was worded correctly on the voting.
- Mr. Zeller commented that Mr. Weinberg asked for workshops and would like to see the wording of the Board's votes before the item goes to the City Commission. Mr. Davey interjected that he has full confidence with our staff and their reports.

C. Board Comments

- Mr. Zeller mentioned his concern on historic buildings in the City.

10. ADJOURN.

There being no further business to come before the Board, the meeting was adjourned at 8:15PM.

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 **April 19, 2021** which were formally adopted and **APPROVED** by the Board on **June 21, 2021**.

Diane Miller

Diane Miller, Board Secretary

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.