

MINUTES OF THE PLANNING AND ZONING BOARD

PUBLIC HEARING/REGULAR MEETING

CITY OF DELRAY BEACH
DELRAY BEACH, FLORIDA

MEETING DATE: August 20, 2012

LOCATION: CITY COMMISSION CHAMBERS

MEMBERS PRESENT: Clifford Durden, Gerry Franciosa, Cary Glickstein, Connor Lynch and Craig Spodak

MEMBERS ABSENT: Jan Hansen and Mark Krall

STAFF PRESENT: Paul Dorling, Mark McDonnell, Ronald Hoggard, Terrill Pyburn and Rebecca Truxell

I. CALL TO ORDER:

The meeting was called to order by the Chair, Mr. Glickstein at 6:04 p.m. Upon roll call it was determined that a quorum was present.

II. MINUTES:

Motion made by Mr. Lynch, seconded by Mr. Durden and approved 5 to 0 for approval of the June 18, 2012 minutes as written.

III. DISCUSSION ITEMS:

At this time Mr. Glickstein announced that the Master Development Plan for Bellantica Gardens was postponed by the Applicant.

Appointment of Representatives to the Parking Management Advisory Board

After discussion, the Board decided to defer these appointments to the September meeting when the new Board members would be present.

IV. COMMENTS FROM THE PUBLIC:

There were no comments from the public on non-agenda items.

It was announced that Randal Krejcarek will address the Board regarding the Public comments made during from the Public Infrastructure hearing.

VI. PLANNING AND IMPLEMENTATION ITEMS:

A. Initiation of an amendment to the Land Development Regulations to reduce the in-lieu of parking fee to \$7,800 per space for parcels located in Block 69 within the Old

School Square Historic Arts District (OSSHAD). The required fee per parking space in Block 69 is \$15,600, whereas the balance of the OSSHAD is \$7,800 per space.

There was no ex-parte communication on this item.

Mr. Dorling entered the file into the record. The Item before the Board is that of initiating an LDR (Land Development Regulation) text amendment to LDR Section 4.6.9(E)(3)(b) pertaining to the in-lieu fee amount for Block 69 within the Old School Square Historic Arts District (OSSHAD). The in-lieu of parking fee for properties within the OSSHAD (Old School Square Historic Arts District) zoning district, with the exception of Block 69, is \$7,800. Block 69 requires an in-lieu of parking fee in the amount of \$15,600, which is the same as parcels located west of the Intracoastal Waterway which are zoned CBD or CBD-RC.

Block 69 is located within the Old School Square Historic District and consists of approximately 19 properties, a majority of which are either classified as contributing (historic) to the historic district, or are deemed to be eligible for the contributing classification. While other blocks within the district have benefitted from adaptive reuse and further development of historic properties, those types of properties within Block 69 have not found such success. In the last ten years, three historic structures have been demolished within this block, and one historic structure has been relocated. The provision of an additional incentive equivalent to the rest of the historic district should be considered by reducing the in-lieu fee to \$7,800.

It is important to note that Ordinance 74-04 (adopted January 18, 2005) expanded Area Two (2) (see attached map) to include Block 69 among other parcels. The reasoning for differentiating between Block 69 and the rest of the OSSHAD zoning district is not explained in back up documentation for the Ordinance.

Mr. Durden stated that it was difficult to reach a decision without knowing the reason why it was included in the first place. Mr. Lynch inquired if the reclassification of Area Two (2) would also reduce the fee. Mr. Franciosa stated that this is a high impact area on Atlantic Avenue and if Swinton Social will be affected. He also voiced concerns regarding the budget and the reduction in fees. Mr. Dorling stated that the in-lieu option only applies to four areas.

Public Comments

There were no public comments.

Board Discussion

Mr. Glickstein stated that only the properties north of the alley would be included in Area Two (2). Mr. Dorling again stated that three historic structures were demolished and one was relocated.

Motion made by Mr. Lynch, seconded by Mr. Franciosa and moved 3 to 2 (Clifford Durden and Craig Spodak dissenting) to approve the initiation of the LDR text amendment to apply the same in-lieu of parking fee to the properties lying south of the alley within Block 69.

- B. Consideration of a finding that the proposed Five Year Capital Improvement Plan for FY 2012-13 through FY 2016-17 and FY 2013 Capital Improvement Budget are consistent with the Comprehensive Plan.

Mr. Krejcarek, outlined the process for identifying projects to be included in the Capital Improvement Plan (CIP) as follows:

- Start with 2011-2012 approved CIP
- Receive requests from Departments
- Review public comments submitted to P&Z Board
- Review Commission approved Master Plans
- Coordinate with CRA projects
- Balance funding requests with available funding

Further, Mr. Krejcarek addressed specific comments that were provided by the public that were submitted to the Planning and Zoning Board.

- Sidewalks
 - Pedestrian controls along Atlantic Ave
 - Construct barrier in front of Luna Rosa
 - Inaccessible pedestrian signal controls (E Atlantic @ 2&4 Av)
 - Extend existing SR A1A sidewalk north of Beach Rd
 - Widen existing sidewalk on east side of SR A1A
- Streets/Traffic
 - Traffic signal @ Lakefront Blvd/Military Trail (Boy's Market)
 - Convert SE 1st to two-way
 - Traffic control needed at Carver Middle
 - Chatelaine Subd in need of traffic calming
 - Pave unpaved alleys in SW neighborhood
 - Traffic calming along SR A1A
 - Repair header curb at Atlantic Av/SR A1A intersection
 - Repave Atlantic Ave between NB & SB US 1
 - Install traffic signal @ Geo Busch Blvd & Swinton intersection
 - Traffic calming widen sidewalks -10th St @ Carver

Mr. Franciosa stated that the chicanes that are utilized do not work as those along Lindell Boulevard are like climbing a mountain.

Mr. Krejcarek stated that if a request for calming measure is received from the neighborhood and staff will meet with the neighborhood to devise a plan to solve the traffic calming measure.

Mr. Krejcarek stated that they have paved six alleyways in the Southwest Neighborhood in the last 3-4 years, that there are two alleyways slated for repaving in the Northwest area and three to four alleyways in the Osceola Park neighborhood.

Mr. Glickstein inquired what percentage of alleyways has been paved in the Southwest area.

Mr. Krejcarek responded that a very small amount possibly 10-20%.

Mr. Krejcarek stated that traffic calming along A-1-A requires FDOT involvement and approval. Mr. Krejcarek further stated that Atlantic Avenue between the one-way pairs is included in the US Highway beautification project which is anticipated to have a contract for the improvements by the end of the year.

- Bike Lanes
 - Request on:
 - S 10th St from Military Trail to US 1
 - George Bush Blvd from US 1 to SR A1A
 - Swinton Ave from S10th St to N 4th St
 - Interconnected bike paths are needed throughout city
 - Fed Highway improvements should include bike lanes
 - More bike lanes/racks & shade trees downtown & beach

Dr. Spodak commented that as the City becomes more urbanized we need to look at interconnections of bike paths and sidewalks in those concentrated pedestrian areas.

Mr. Krejcarek responded that a recent amendment to the LDRs required wider sidewalks in the Downtown and the heavy pedestrian areas.

- Landscaping & Maintenance
 - Double trash bins for businesses along Atlantic Av
 - Sight visibility concerns SE 2nd St @ SE 3rd Av
 - Additional landscaping along west side of SR A1A
 - Landscaping needed on west side of SR A1A/Atlantic Dunes
 - Maintain landscaping at I-95/Atlantic Ave interchange

Mr. Durden inquired if the landscaping within a non-gated community is the responsibility of that community.

Mr. Krejcarek responded that the area between the edge of pavement and front door is the property owner responsibility, however when traffic calming devices are installed such as the traffic circles in some cases the subdivision will accept maintenance responsibility in other cases the City will maintain such facilities.

- Lighting
 - Increase lighting on Atlantic Av-I-95 to Swinton Ave
 - Improve lighting on Atlantic Av east of Swinton Ave
 - Additional lighting needed in Chatelaine neighborhood
 - Improve lighting along SR A1A

Mr. Krejcarek stated that since 2005-6 the City met the DOT standards for lighting along Atlantic Avenue and the lighting along A-1-A is controlled by FDOT.

- Miscellaneous
 - Litter receptacles needed on SE 2nd Av/SE 1st St
 - Sewer problems -2nd block between SE 2nd Avenue and SE 3rd Avenue
 - Downtown shuttle should run on biofuel or be electric
 - Downtown shuttle should run more often
 - Downtown shuttle should not idle when parked

Mr. Krejcarek stated that the CRA Community Redevelopment Agency is assisting in the purchase of additional trolleys and that the City has received a grant from FDOT towards the operation however, that agreement requires that the trolley service be expanded.

Mr. Durden inquired as to the timeline for moving forward on the use of reclaimed water west area of the City.

Mr. Krejcarek stated that it is a function of funding and no additional money is budgeted for reclaimed water projects.

Dr. Spodak inquired as to the amount the City spends on the Downtown Shuttle.

Mr. Krejcarek responded that it is all CRA funded.

Mr. Krejcarek provided an outline of the CIP Revenues by Fund type and stated that the General Construction Fund of \$15 million includes the Federal Highway beautification project and also noted that the Beach Restoration fund of \$13,804,950.00 is included in the proposed FY 2012-2013 budget. Mr. Krejcarek stated that the General Construction fund receives revenues from the Federal Plan, the State Plan, and the CRA.

Dr. Spodak inquired if there were any programs for the private sponsorship for the parks.

Ms. Pyburn stated that the Parks Department may have certain programs that address cleanup ventures for the parks.

Cary Glickstein inquired why the beach restoration project was included in this year's CIP.

Mr. Dorling responded that the design of the beach is on a 10-year interval and that it was last restored in 2002.

Public Comments:

Mr. Jim Smith 1225 South Ocean Boulevard, stated that he was very disappointed with the report and that it should have included a recommendation on every comment made by every citizen and that such responses be placed on the City's website. . Mr. Smith further stated that some of the responses provided referenced the wrong area and requested that the comment for the provision of a sidewalk along A-1-A south of Beach Road should be re-evaluated as its installation would be of no cost to the City. Mr. Smith further stated that a certain amount of funding for sidewalk and bike paths should be set aside each year.

Mr. Ron Gilensky, 1405 South Federal Highway, stated objections to the use of diesel fuel trollies and the purchase of additional trollies.

Public Hearing Closed

Mr. Glickstein clarified that the Board is not evaluating line items but will evaluate a finding of consistency with the Comprehensive Plan.

Mr. Hoggard stated that the 5-year CIP is divided into broad categories, beautification, transportation, recreation, utilities etc. which are evaluated against specific

Comprehensive Plan policies within the individual elements of those Comprehensive Plan Elements.

Mr. Hoggard clarified that the line items are reviewed by the City Commission.

Mr. Dorling commented that the Capital Improvement Plan (CIP) is a listing of the projects with capital expenditures over \$25,000.

Public Comments

There were none.

Board Discussion

Mr. Glickstein stated that Mr. Krejcarek provided input on the infrastructure hearing which is a part of the CIP budget, however, the Board is primarily addressing the consistency of the CIP Budget to the Comprehensive Plan.

Mr. Glickstein stated that if the public is asked for comments they are entitled to receive a specific response to those comments.

Mr. Glickstein stated that in reference to the trollies, while there is longevity with the use of diesel fuel, it is more expensive and noxious and questioned if the use of diesel fuel is consistent with the policies in the Comprehensive Plan.

Mr. Krejcarek stated that currently a request for proposal is being evaluated that could include requests for diesel versus bio-diesel fuel.

Dr. Spodak inquired if it is more expensive to change diesel to bio-diesel and inquired about the use of natural gas.

Mr. Glickstein stated that the Comprehensive Plan policies call for a greener City and he is in favor of investigating what would be involved in the use of natural gas.

Mr. Hoggard noted that the trollies are not listed in the CIP budget.

Mr. Krejcarek responded that it is listed in the current-year budget.

Mr. Dorling stated that the comments raised by the Board could be conveyed to the agencies that are writing the Request for Proposal (RFP) for the use of natural gas and that this item is not included in the CIP.

Mr. Glickstein requested that this be conveyed to the writers of the RFP in order to jumpstart the use of natural gas facility.

Mr. Lynch indicated that it seems pointless to vote on the consistency of the CIP with the Comprehensive Plan when they are not given an opportunity to view those line items.

Ms. Pyburn stated that State Law requires that Board vote on the consistency of the CIP with the Comprehensive Plan.

Mr. Glickstein stated that it becomes a waste of time because the categories are so broad.

Mr. Lynch stated that they are not given enough details and would prefer if they were given a line item and evaluate whether that line item was consistent with the Comprehensive Plan.

Motion made by Mr. Lynch, seconded by Mr. Durden and moved 5 to 0, to recommend to the City Commission that the categories and tasks as proposed in the Five Year Capital Improvement Plan for FY 2012-13 through FY 2016-17 and FY 2013 Capital Improvement Budget are consistent with the Comprehensive Plan.

VII. Reports and Comments

A. Board Members

This being Mr. Glickstein's last meeting he thanked staff, Board members for their service on the Board

Parking Management Advisory Board – Mark Krall

There was no report from the Parking Management Advisory Board.

B. Staff

Mr. Dorling highlighted the upcoming projects.

Meeting Dates for September

CITY COMMISSION MEETINGS

Tuesday, September 4, 2012, City Commission Regular Meeting, 6:00 p.m., City Commission Chambers

Thursday, September 20, 2012, City Commission Regular Meeting, 6:00 p.m., City Commission Chambers

PLANNING AND ZONING BOARD MEETING

1. Final Subdivision plat for Spodak Dental office, located on the north side of West Atlantic Avenue, west of High Point Boulevard.
2. Conditional use request to allow the expansion of the Beachway Motel, located at 655 George Bush Boulevard.
3. Conditional use request to allow a density in excess of 30 units per acre (52.02 du/ac proposed) and a building height to exceed 48 feet (60 feet proposed) for certain buildings) for Atlantic Plaza, located between East Atlantic Avenue and NE 1st Street and Ne 6th Avenue and Veterans Park.
4. Conditional use request to allow the establishment of a bowling alley in conjunction with a restaurant for Downtown Bowling at 45 NE 2nd Avenue within Ocean City Lumber Complex.
5. Final subdivision plat request for 10th and 10th Center, located at the southeast corner of SW 10th Street and SW 10th Avenue.

6. Final subdivision plat request for Village Square, located on the east side for Auburn Avenue between SW 7th Street and SW 10th Street.

Mr. Durden commended Mr. Glickstein on his outstanding job as Chairman and requested when the Board will be getting a response on the infrastructure hearing comments.

Mr. Dorling responded that Mr. Krejcarek will need to check with Mr. Harden as to how it will be handled.

VIII. ADJOURN

The meeting adjourned at 8:15 p.m.

The undersigned is the Secretary of the Planning and Zoning Board and the information provided herein is the Minutes of the meeting of said body for August 20, 2012 which was formally adopted and approved by the Board on November 19, 2012.

Jasmin Allen (for) *Jasmin Allen*

Rebecca Truxell, Administrative Assistant

If the Minutes that 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.