Alliance of Delray Residential Associations, Inc.

10290 West Atlantic Avenue #480504
Delray Beach, FL 33448
Phone: 561.495.4694
www.allianceofdelray.com

- ***Serving more than 100 Communities between the Everglades and the Ocean in south Palm Beach County.***
- ***Working Toward Sustainable Development***
- ***Applying Resilience Thinking to Our Natural Resources***

October 23, 2026

Delray Beach City Commission
100 NW First Avenue
Delray Beach, Florida 33444

Re: *ALLIANCE OF DELRAY RESIDENTIAL ASSOCIATIONS' RESPONSE TO JFK MEDICAL CENTER LIMITED PARTNERSHIP'S REQUEST FOR RELIEF UNDER FLUEDRA, FLORIDA STATUTE 70.51*

Dear Mayor Carney and Commissioners:

Please see attached Alliance of Delray Associations' response to JFK Medical Center limited partnership's request for relief under FLUEDRA, Florida Statute 70.51.

Sincerely,

Lori Vinikoor

Dr. Lori Vinikoor*
as President
Alliance of Delray Residential Associations

*Alliance President 2022-Present
Alliance Board Member 2006-Present
Current Governing Board Member
of Delray Medical Center

Cc: Mayor Tom Carney; Vice Mayor Angela Burns; Deputy Vice Mayor Tom Markert; Commissioner Juli Casale; Commissioner Judy Mollica; Lynn Gelin, City Attorney; William Bennett, Assistant City Attorney; Anthea Gianniotes, Development Services Director; Rebekah Dasari, Senior Planner

OFFICERS AND DIRECTORS OF THE ALLIANCE:
Lori Vinikoor, *President*
Arnie Katz, Executive Vice President Norma Arnold, Vice President
John Gentithes, Vice President & Treasurer Judy Goldberg, *Secretary*
Directors: Rob Cuskaden Rose DeSanto York Freund Susan Zuckerman
Assistant to the President: Audrey Simon Joel Vinikoor
Legal Counsel: Joshua Gerstin

ALLIANCE OF DELRAY RESIDENTIAL ASSOCIATIONS' RESPONSE TO JFK MEDICAL CENTER LIMITED PARTNERSHIP'S REQUEST FOR RELIEF UNDER FLUEDRA, FLORIDA STATUTE 70.51

The Alliance of Delray Residential Associations (ADRA) was established in 1996. Since 1996, the ADRA has been and is the leading non-partisan, nonprofit, volunteer-led civic advocacy organization in South Palm Beach County (SPBC). We represent more than 200 communities, 90 Master Associations and over 90,000 residents in SPBC. Our mission is to provide the neighborhood associations of Delray Beach with a non-partisan, respected and unified voice to federal, state, county, and local elected officials and senior administrators concerning issues affecting their residents and to cooperate with these officials in a manner that serve the best interests of all residents. We provide oversight on matters important to our membership including traffic control, road building, traffic lights, Florida and county laws affecting condominium and homeowner associations, commercial and residential development, emergency medical services and security.

Please consider the following information in your decision:

I. The proposed use of a Freestanding Emergency Department (FSED) goes well beyond what would be contained in a Planned Office Center (POC) Zoning District that would operate within 300 feet of residential zoning. The Staff Report clearly states that the proposed 24-hour late night business use is not allowed by right; a conditional use approval is required. This conditional use should not be approved.

II. Further, staff state that the Transitional land use designation (TRN) is intended to allow a wide range of residential and low intensity nonresidential uses to address varied community needs. An FSED is (a) not a low intensity use and (b)the community is NOT in need of its services. The following supports these facts:

(a) 1.Emergency vehicles are a part of the daily business of an emergency department and the local fire company is not the only agency licensed to transport patients in Palm Beach County. Emergency vehicles cannot be inhibited from using their Sirens and these sirens travel well beyond 300 feet, even with buffering. These facts demonstrate inconsistency with Housing Element HOU 1.1.12 and support *denial* of the conditional use request.

2. There are reasons that Delray Beach has a Medical Arts Overlay District located at West Linton Boulevard and South Military Trail and one of those reasons is to keep emergency medical vehicles within a specifically delineated area further away from residential dwellings.

(b) Regarding emergency services, the area is well populated with emergency clinics*, i.e. MD Now Urgent Care at 14701 S. Military Trail; ExpressDocs Urgent Care- East Delray at 14530 S. Military Trail; Dr. G's Urgent Care 1425 S. Congress Avenue; MD Now Urgent Care- Delray Beach at 601 Linton Boulevard. For more advanced emergency services where an ambulance may take a patient, there is Baptist Health Emergency Department 5 miles away from the local community and a Delray Medical Center Emergency Department 2 miles away.

*The petitioner can build a complex with medical offices and urgent care services on the subject parcel, however, a 24-hour late night hospital emergency department is not permitted and should not be approved.

Further, considering that the JFK Hospital is located more than 12 miles away, if a patient needed emergency surgery after being examined at the FSED, a transfer from the proposed development to the parent hospital would delay patient treatment time and adversely affect at the least, recovery and at the most, survival of the patient.

III. Addressing the Statement of Impact in the Request for Relief:

(a)The Subject Property is not under any burden as medical offices and an urgent/emergency care clinic can be developed which represents the same industry as the petitioner and would be consistent with the POC Zoning and the TRN land use designation. The City's regulations applicable to a 24 hour late night land use require

the granting of a conditional use which was correctly denied.

(b)Having built other FSED's in the County, the Petitioner was well aware of the government regulations requiring a 24-hour 7 day a week business and could have reached out to the City, the Alliance, and the local communities before the purchase to find out if such conditional approval would be granted or if the project would be acceptable or even needed by its neighbors.

(c)What defies credulity is that the institution purchased the Subject Property with the expectation of building a project which is of higher intensity than professional offices less than 300 feet from a residential community knowing that a 24-hour late night use would require additional permitting over and above that which the Land Development Regulations allow for medical offices.

(d)High Point Condominium Section 1 was built in 1971 and is a Delray Beach legacy community. Historically it was one of the first condominium projects in Florida to be built pursuant to the enactment of the Florida Condominium Act of 1963. As such, the units were built using 1971 building code standards which included jalousie/louvered windows and many unit owners have not replaced theirs with hurricane grade dual pane windows. Besides being non-energy efficient, sound is more audible through the single glass slats of the louvered windows. Further, the bedrooms of the units face the subject property as do the patios. A hospital FSED adjacent to these townspeople would have a double negative impact (inside and outside of the home) on the owners' quiet enjoyment and the stability of the Community. Potential buyers of the condos will contemplate the ambulance traffic, sirens, and delivery trucks at all hours of the day. Decrease in buyer demand will lead to a drop in sales.

IV. The Petition for Relief has not provided any new information that warrants a review of the original request to run a 24-hour late night business nor does it warrant approval of the conditional use request to run a 24-hour late night business/FSED on the Subject Parcel.

Sincerely,

Lori Vinikoor

Dr. Lori Vinikoor*
as President
Alliance of Delray Residential Associations

*Alliance President 2022-Present
Alliance Board Member 2006-Present
Current Governing Board Member
of Delray Medical Center