



HISTORIC PRESERVATION BOARD STAFF REPORT

525 E. Atlantic Ave. – Colony Hotel

Meeting	File No.	Application Type
November 1, 2023	2023-154	Level 2 Site Plan, Landscape Plan, Architectural Elevations & Certificate of Appropriateness

REQUEST

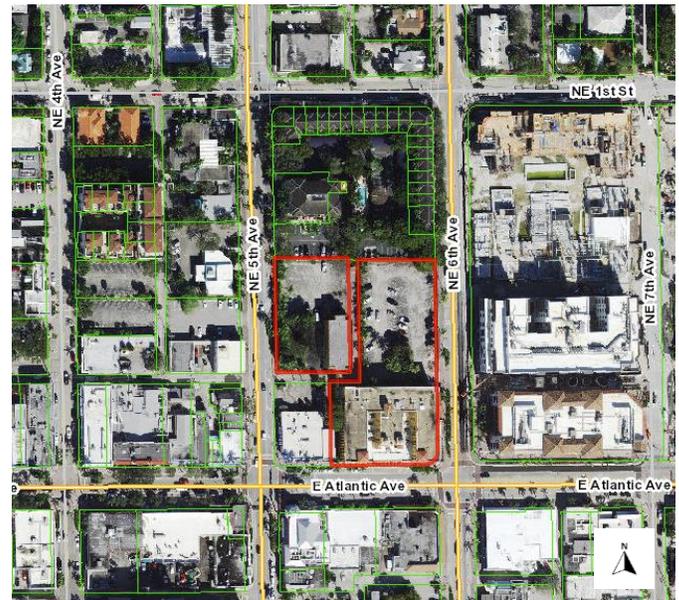
The item before the Board is consideration of a Level 2 Site Plan, Landscape Plan, Architectural Elevations and Certificate of Appropriateness (2023-154) request for the construction of a one-story detached accessory structure to the rear of a three-story existing hotel on the property located at **525 E. Atlantic Avenue**, known as the **Colony Hotel**, **Individually Listed to the Local Register of Historic Places**.

GENERAL DATA

Owner: Boughton Hotels Inc.
Agent: Roy M. Simon, AIA., Architect
Location: 525 E. Atlantic Avenue
PCN: 12-43-46-16-01-108-0050
Property Size: 1.74 Acres
Zoning: CBD (Central Business District)
FLUM: Commercial Core
Historic District: Individually Designated to the Local Register of Historic Places
Adjacent Zoning:

- CBD (Central Business District) (North)
- CBD (Central Business District) (East)
- CBD (Central Business District) (South)
- CBD (Central Business District) (West)

Existing Land Use: Commercial
Proposed Land Use: Commercial



BACKGROUND AND PROJECT DESCRIPTION

The Colony Hotel is located at 525 East Atlantic Avenue, at the northwest corner of NE 6th Avenue (North Federal Highway) and East Atlantic Avenue. The subject property consists of the south 12' of Lot 18, portions of the east/west alleys, the East 25' of Lots 21 and 22 to 25 including Lot 108 of the Town of Delray.

Albert T. Repp, a Delray businessman since 1914, owned the present Colony Hotel site, and formed the Delray Hotel Corporation with J.C. Keen, H.E. Evans, Dr. L. Love, and Jack Bird. The hotel was constructed in 1925 as the Alterep Hotel in the Spanish Colonial Mission Revival style and was designed by prominent Miami architect Martin Luther Hampton. The Miami architectural firm Hampton

Project Planner: Katherina Paliwoda, Planner, paliwodak@mydelraybeach.com Michelle Hewett, Planner, hewettm@mydelraybeach.com	Review Dates: November 1, 2023	Attachments: 1. Plans, Survey, & Renderings 2. Photographs 3. Color & Materials 4. Justification Statements
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& Ehmann is credited with the Miami Post Office and Municipal Court Building (National Register of Historic Places), additions to Flagler's Whitehall and the Breakers Hotel in Palm Beach. Hampton was a principal architect and planner for the City of Coral Gables. Associated with Mizner, Hampton was the architect of the 1925 Delray Beach City Hall (now demolished). He is also associated with the 400, 500, & 600 blocks of Lincoln Road and the Miami Beach Congregational Church.

Following the 1928 hurricane, Samuel Ogren, Sr. designed the 3 story, attached, Spanish style building to the rear (north) of the original hotel. The addition included first floor garages, and 2nd & 3rd floor sleeping areas. The building features a stucco exterior, with barrel tile trim, and at the time the town's only pedestrian flyover overpass above the east/west alley.

In 1926, the Alterep foreclosed due to construction bond financing and after 10 years of litigation, George W. Boughton purchased the hotel in 1935 from the Trust Company of Florida for \$50,000 and the name was changed to the Colony Hotel. The Colony Hotel has been in the Boughton family for nearly 90 years. The property is zoned CBD (Central Business District) and the property was designated to the Local Register of Historic Places on March 26, 1991.

On September 20, 1995, the Board reviewed and approved a request for the construction of a balcony and associated French door on the third floor of the west façade. The project also consisted of replacing the awnings at the front entrance of the building and installing new shed awnings. The proposed awning colors included solid terra cotta on the storefront awnings and solid garnet for the entrance canopy. These site improvements were completed approved.

During its meeting of May 1, 1996, the Board reviewed a COA request to change the colors of the domes on the hotel from the approved terra cotta color to blue. On November 4, 1998, the Board reviewed and approved a COA request to install burgundy and yellow striped, dome awnings over the east and west arches on the front façade, to change the existing color of the awnings on the east elevation to burgundy and yellow stripes, to change the color of the domes from blue to burgundy, and to install flags atop the domes. The Board subsequently approved the installation of the awnings, supported a paint change for the domes to match the existing burgundy and yellow awnings or to solid gold, and the installation of pennant flags atop each dome and the project was completed.

On August 4, 1999, the Board reviewed and approved a color change for the existing dome and shed style awnings from a solid to burgundy and yellow stripes. The awnings were installed as proposed. On October 4, 2000, the Historic Preservation Board approved a COA that included the replacement of windows with single light, double transoms on the east elevation and the installation of French doors on the south façade. The applicant requested that the Board reconsider its findings at its meeting of November 1, 2000, to permit the installation of fixed, single light windows with no transoms. The Board approved the new light configuration with no transoms.

In October 2002, the building was painted a golden yellow to match the yellow in the existing awnings, however a COA request was not submitted for review and approval. The applicant submitted an application for the color change. At its meeting of November 20, 2002, the Historic Preservation Board approved Certificate of Appropriateness (2003-018) for an exterior color change.

At its meeting of July 6, 2016, the HPB approved Class I Site Plan Modification and Certificate of Appropriateness (2016-161) request associated with the removal of planters on the front elevation and replacement of storefront and transom windows.

The request before the board is a Level 2 Site Plan, Landscape Plan, Architectural Elevations, and Certificate of Appropriateness (2023-154) for the construction of a one-story, 1,344 square feet, detached accessory structure in the rear of the property. The proposed accessory structure is to be utilized for laundry facilities and maintenance/operations.

REVIEW AND ANALYSIS

Pursuant to Land Development Regulation (LDR) Section 2.4.12(A)(5), Prior to approval, a finding must be made that any Certificate of Appropriateness is consistent with Historic Preservation purposes pursuant to Objective HPE 1.4 of the Historic Preservation Element of the Comprehensive Plan; the provisions of Section 4.5.1; the Delray Beach Historic Preservation Design Guidelines; and, the Secretary of the Interior's Standards for Rehabilitation.

ZONING USE AND REVIEW

Pursuant to LDR Section 4.4.13(A) Central Business District is established to preserve and protect the cultural and historic aspects of downtown Delray Beach and simultaneously provide for the stimulation and enhancement of the vitality and economic growth of this special area.

Pursuant to LDR Section 4.4.13(C) and Table 4.4.13(A) identifies the allowable principal, accessory, and conditional uses for each area of the CBD.

The subject request is to construct a detached accessory structure for use as a laundry and maintenance facilities for the existing hotel. As the use is permitted within the Central Core Sub-district of the CBD, the proposed addition is accessory to the existing hotel use.

Pursuant to LDR Section 4.4.13(B)(2) Required retail frontage. Certain Primary Streets within the CBD are intended to be lively, highly active pedestrian environments that support businesses and reinforce local character. Streets designated as with Required Retail Frontage are held to stricter standards regarding allowable frontage types and uses located within sidewalk level stories.

The property contains an existing hotel structure that contains retail frontage on the ground floor. The subject detached addition is located to the rear of the existing historic structure to which the retail frontage requirements do not apply.

Pursuant to LDR Section 4.4.13(B)(4)(a) Limited Height Area. Building height is limited on a portion of East Atlantic Avenue to help maintain the unique character of the City's historic main street.

Pursuant to LDR Section 4.4.13(D)(1)(a) Configuration of Buildings: Standards for CBD. The following building configuration standards apply to all CBD Sub-districts:

Pursuant to LDR Section 4.4.13(D)(1)(a)(1) Within the Atlantic Avenue Limited Height Area, maximum overall building height is 38 feet and maximum building height in number of stories is three. The Atlantic Avenue Height Limit Area is defined as those properties, or portions of properties, located within 125 feet north or south of the East Atlantic Avenue right-of-way line, between Swinton Avenue and the Intracoastal Waterway.

The proposed laundry/maintenance building will be a one-story structure and will have a max height of 12'-10 ¾ ". Therefore, the request meets the requirements of the LDR's.

Pursuant to LDR Section 4.3.4(D)(2) - Dimensional requirements for CBD Sub-districts: Table 4.4.13(C) provides the dimensional requirements regarding lot size, building placement, building size, height, density, and civic open space for each CBD Sub-district.

(a) Buildings shall be located in accordance with the minimum and maximum setbacks in Table 4.4.13(C).

The proposal meets the dimensional requirements for the Central Core Sub-district according to the requirements noted in the chart below:

DEVELOPMENT STANDARDS	REQUIRED	EXISTING	PROPOSED
OPEN SPACE	25%	67%	65.6%
SETBACKS (MINIMUM)			
FRONT (SOUTH)	10'-15'	6'	No change 311' (Addition)
FRONT (WEST) ALONG NE 5 TH AVENUE	10'-15'	75'6"	67'*
FRONT (EAST) ALONG NE 6 TH AVENUE	10'-15'	0'-14'1"	No change
SIDE INTERIOR (WEST) ADJACENT TO HOTEL	0-5'	2'-8'5"	No change
REAR (EAST) ALONG N/S ALLEY	10'	8'5"	No change 10' (Addition)
SIDE INTERIOR (NORTH)	0'-5' min.	95'9"	No change 10' (Addition)
HEIGHT	38' (MAX)	36'10"	12'- 10 ¾ "

*The proposed front (west) setback of 67' is larger than the 10' minimum and 15' maximum, however the Development Services Director interpreted the LDRs to allow the accessory use of the building to be positioned in the rear, adjacent to the alley. The CBD regulations purposely position refuse and service uses in the rear of lots allowing for principal uses to be along a street, while there is parking use in this location now, this will allow for new structures to be placed in front of the laundry/maintenance building in the future. The proposed structure meets the 10' minimum rear setbacks on the north and east. Therefore, there are no concerns with the proposed setbacks for the request.

Pursuant to LDR Section 4.4.13(F) – Architectural Standards: To ensure high quality architecture in the downtown area, the following architectural standards apply to all buildings in the Central Business District Sub-districts. In addition to the standards in Section 4.6.18, the following standards apply in all CBD Sub-districts.

- (1) In addition to the standards in this section, all buildings shall follow the Delray Beach Architectural Design Guidelines. Properties located within a Historic District or Individually Designated Sites, as listed on the Local Register of Historic Places in [Section 4.5.1\(I\)](#), shall also comply with the Visual Compatibility Standards of [Section 4.5.1\(E\)\(7\)](#).
- Appropriate architectural styles. The adopted "Delray Beach Central Business District Architectural Design Guidelines", as amended, identifies architectural styles as appropriate for downtown Delray Beach, based on historical precedent, climate, and building scale. Defining characteristics and character examples are provided for each of the styles as guidance.

Pursuant to LDR Section 4.4.13(K)(3), Historic Preservation Board. Any development of properties located within a Historic District or Individually Designated Sites as listed on the Local Register of Historic Places in Section 4.5.1(I) is subject to review by the Historic

Preservation Board (HPB), pursuant to Article 2.1. Architectural styles are determined by those which are both permitted in the CBD and identified as appropriate for the historic district based on the Period(s) of Significance per the adopted Ordinance.

The architectural style must adhere to the Delray Beach Architectural Design Guidelines and the Visual Compatibility Standards of LDR Section 4.5.1 as the development project is individually listed to the Local Register of Historic Places. The existing hotel is designed in the Spanish Colonial Mission Revival architectural style. As the subject request is an individually designated historic site, the architectural style must be designed to be visually compatible with the main structure. The style of the proposed structure is compatible and appropriate to the existing style of the historic hotel. An analysis of Visual Compatibility is included in the historic preservation section below.

PARKING

Pursuant to LDR Table 4.4.13(L), parking for the commercial property containing hotel and retail use.

Below is the parking calculation table for the existing and proposed development demonstrating compliance with the requirements of this code section. As the existing site includes additional spaces than what are required for the site, the total existing spaces meet the requirements of this request.

<u>PARKING</u> (REF. LDR TABLE 4.4.13(L))	<u>REQUIRED</u>	<u>EXISTING</u>	<u>PROPOSED</u>
<u>HOTEL:</u> GUEST ROOMS:	46 SPACES	46 SPACES	46 SPACES
LOUNGE & SHOPS:	10 SPACES	21 SPACES	21 SPACES
<u>TOTAL PARKING SPACES:</u>	56 SPACES	67 SPACES	67 SPACES
REGULAR SIZE	53 SPACES	64 SPACES	64 SPACES
HANDICAP SIZE	<u>3 SPACES</u>	<u>3 SPACES</u>	<u>3 SPACES</u>
TOTAL	56 SPACES	67 SPACES	67 SPACES
TOTAL PARKING SPACES = 55 DELINEATED IN THE EXISTING PARKING AREA 12 ARE LOCATED IN GARAGES OF THE 3-STORY BUILDING			

LDR SECTION 4.5.1

HISTORIC PRESERVATION: DESIGNATED DISTRICTS, SITES, AND BUILDINGS

Pursuant to LDR Section 4.5.1(E), Development Standards, all new development or exterior improvements on individually designated historic properties and/or properties located within historic districts shall, comply with the goals, objectives, and policies of the Comprehensive Plan, the Delray Beach Historic Preservation Design Guidelines, the Secretary of the Interior’s Standards for Rehabilitation, and the Development Standards of this Section.

Pursuant to LDR Section 4.5.1E(3) – Buildings, Structures, Appurtenances and Parking: Buildings, structures, appurtenances and parking shall only be moved, reconstructed, altered, or maintained, in accordance with this chapter, in a manner that will preserve the historical and architectural character of the building, structure, site, or district:

Appurtenances: Appurtenances include, but are not limited to, stone walls, fences, light fixtures, steps, paving, sidewalks, signs, and accessory structures.

Fences and Walls: The provisions of Section 4.6.5 shall apply, except as modified below:

- a. Chain-link fences are discouraged. When permitted, chain-link fences shall be clad in a green or black vinyl and only used in rear yards where they are not visible from a public right of way, even when screened by a hedge or other landscaping.
- b. Swimming pool fences shall be designed in a manner that integrates the layout with the lot and structures without exhibiting a utilitarian or stand-alone appearance.
- c. Fences and walls over four feet (4') shall not be allowed in front or side street setbacks.
- d. Non-historic and/or synthetic materials are discouraged, particularly when visible from a public right of way.
- e. Decorative landscape features, including but not limited to, arbors, pergolas, and trellises shall not exceed a height of eight feet (8') within the front or side street setbacks.

The subject property has an existing 6' aluminum fence on the northwest to northeast areas of the property that surround the parking lot to the rear of the existing hotel. The proposal does not include any changes or modifications to these existing appurtenances.

SECRETARY OF THE INTERIORS STANDARDS

Pursuant to LDR Section 4.5.11(5) – Standards and Guidelines: a historic site, building, structure, improvement, or appurtenance within a historic district shall only be altered, restored, preserved, repaired, relocated, demolished, or otherwise changed in accordance with the Secretary of the Interior's Standards for Rehabilitation, and the Delray Beach Historic Preservation Design Guidelines, as amended from time to time.

Standard 1

A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

Standard 2

The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

Standard 3

Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

Standard 4

Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

Standard 5

Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

Standard 6

Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

Standard 7

Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

Standard 8

Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

Standard 9

New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Standard 10

New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Standards 1, 2, 3, 5, 9, and 10 are applicable to this request. The proposal includes the construction of a new detached one-story structure to the rear of the existing three-story hotel. Regarding standards 1, 2, and 5, the existing structure was built in 1925 as a hotel to which the use will continue to remain on site. In addition, there are no proposed changes to the main structure so all materials, distinctive features, and historic integrity for the site will be unimpaired.

The subject property's architectural style is a Spanish Colonial Mission Revival style, and the new structure will be constructed in the same style. With regard to Standards 9 and 10, the detached structure will also use the same materials, exterior colors as the main historic structure so the proposal will be compatible. There are no concerns to the height of the subject request, as the one-story structure will be placed to the rear of the site and will not overwhelm the existing three-story hotel.

The proposal can be considered an appropriate modification to the property as it complies with the above standards.

Pursuant to LDR Section 4.5.11(7) – Visual Compatibility Standards: new construction and all improvements to both contributing and noncontributing buildings, structures, and appurtenances thereto within a designated historic district or on an individually designated property shall be visually compatible. In addition to the Zoning District Regulations, the Historic Preservation Board shall apply the visual compatibility standards provided for in this Section with regard to height, width, mass, scale, façade, openings, rhythm, material, color, texture, roof shape, direction, and other criteria set forth elsewhere in Section 4.5.1. Visual compatibility for minor and major development as referenced in Section 4.5.11(2) shall be determined by utilizing criteria contained in (a)-(m) below.

- a. Height: The height of proposed buildings or modifications shall be visually compatible in comparison or relation to the height of existing structures and buildings in a historic district for all major and minor development. For major development, visual compatibility with respect to the height of residential structures, as defined by 4.5.11(2)(a), shall also be determined through application of the Building Height Plane.**

- b. **Front Facade Proportion:** The front facade of each building or structure shall be visually compatible with and be in direct relationship to the width of the building and to the height of the front elevation of other existing structures and buildings within the subject historic district.
- c. **Proportion of Openings (Windows and Doors):** The openings of any building within a historic district shall be visually compatible with the openings exemplified by prevailing historic architectural styles of similar buildings within the district. The relationship of the width of windows and doors to the height of windows and doors among buildings shall be visually compatible within the subject historic district.
- d. **Rhythm of Solids to Voids:** The relationship of solids to voids of a building or structure shall be visually compatible with existing historic buildings or structures within the subject historic district for all development, with particular attention paid to the front facades.
- e. **Rhythm of Buildings on Streets:** The relationship of buildings to open space between them and adjoining buildings shall be visually compatible with the relationship between existing historic buildings or structures within the subject historic district.
- f. **Rhythm of Entrance and/or Porch Projections:** The relationship of entrances and porch projections to the sidewalks of a building shall be visually compatible with existing architectural styles of entrances and porch projections on existing historic buildings and structures within the subject historic district for all development.
- g. **Relationship of Materials, Texture, and Color:** The relationship of materials, texture, and color of the facade of a building and/or hardscaping shall be visually compatible with the predominant materials used in the historic buildings and structures within the subject historic district.
- h. **Roof Shapes:** The roof shape, including type and slope, of a building or structure shall be visually compatible with the roof shape of existing historic buildings or structures within the subject historic district. The roof shape shall be consistent with the architectural style of the building.
- i. **Walls of Continuity:** Walls, fences, evergreen landscape masses, or building facades, shall form cohesive walls of enclosure along a street to ensure visual compatibility with historic buildings or structures within the subject historic district and the structure to which it is visually related.
- j. **Scale of a Building:** The size of a building and the building mass in relation to open spaces, windows, door openings, balconies, porches, and lot size shall be visually compatible with the building size and mass of historic buildings and structures within a historic district for all development. To determine whether the scale of a building is appropriate, the following shall apply for major development only:
 - a. For buildings wider than sixty percent (60%) of the lot width, a portion of the front façade must be setback a minimum of seven (7) additional feet from the front setback line:
 - b. For buildings deeper than fifty percent (50%) of the lot depth, a portion of each side façade, which is greater than one story high, must be setback a minimum of five (5) additional feet from the side setback line:
- k. **Directional Expression of Front Elevation:** A building shall be visually compatible with the buildings, structures, and sites within a historic district for all development with regard to its directional character, whether vertical or horizontal.
- l. **Architectural Style:** All major and minor development shall consist of only one (1) architectural style per structure or property and not introduce elements definitive of another style.

m. Additions to individually designated properties and contributing structures in all historic districts: Visual compatibility shall be accomplished as follows:

- 1. Additions shall be located to the rear or least public side of a building and be as inconspicuous as possible.**
- 2. Additions or accessory structures shall not be located in front of the established front wall plane of a historic building.**
- 3. Characteristic features of the original building shall not be destroyed or obscured.**
- 4. Additions shall be designed and constructed so that the basic form and character of the historic building will remain intact if the addition is ever removed.**
- 5. Additions shall not introduce a new architectural style, mimic too closely the style of the existing building nor replicate the original design but shall be coherent in design with the existing building.**
- 6. Additions shall be secondary and subordinate to the main mass of the historic building and shall not overwhelm the original building.**

With regard to **Height and scale**, the proposal is for construction of a new one-story detached structure in the rear of the existing three-story historic hotel site. There are no concerns with regard to massing and scale and the original structure is significantly larger than the proposed structure.

The new structures **windows and doors** will be impact resistant single-hung, white, aluminum framed windows with dimensional muntins in the color Sherwin Williams 7005 "Pure White". It is noted on the window and door schedule that glass will be clear, however an additional note that glass should also be non-reflective has been added as a site plan technical item. There are no concerns with the **rhythm of solids to voids** on the proposed addition as windows and doors are proposed on each elevation ensuring that there are no blank walls.

Regarding the visual compatibility standard of **Relationship of Materials, Texture, and Color**, the proposed one-story addition will be a concrete block structure with smooth stucco walls in Sherwin Williams 9013 "Olden Amber", which will be compatible with the existing structure. The proposed roof will be a flat deck roof with Spanish barrel tile in a terra cotta color to surround the parapet of the structure. There are also no concerns regarding **Roof Shapes**, as the new addition's roof is compatible with the style of the main structure. In addition, the new structure will have black aluminum outdoor lighting fixtures that also match the existing structure. As the use of authentic materials guarantees the longevity and authenticity of the site and its historic integrity.

With regards to **Architectural Style**, the existing hotel was designed in the Spanish Colonial Mission Revival architectural style, to which the proposed design of the addition can be considered visually compatible. The structure is **new construction**, which will be located to the rear of the property. There are no concerns to secondary and subordinate as the existing three-story hotel is located on the front of the site and is significantly larger than the proposed addition. Also, if the new structure were to be removed in the future, it would not affect the historic integrity of the 1925 structure.

LANDSCAPE

Pursuant LDR Section 4.6.16- Landscape Regulations- The provisions of this Section are minimum standards which may be increased in accordance with the guidelines contained herein as well as aesthetic criteria established by the Site Plan Review and Appearance Board and the Historic Preservation Board when applicable. Additional landscape requirements may be required for certain zoning districts and roadways as provided for elsewhere in these regulations.

The subject request includes new native shrubs to be added on site near the new structure. All existing trees and shrubs on site are to remain. The proposal can be determined to be in compliance with the code with respect to landscaping.

SITE PLAN TECHNICAL ITEMS

1. That setback and height measurements be consistent on-site the plan, elevations, and all submitted data tables.
2. That window glass should be non-reflective.

COMPREHENSIVE PLAN

Pursuant to the Historic Preservation Element (HPE), Objective 1.4, Historic Preservation Planning: Implement appropriate and compatible design and planning strategies for historic sites and properties within historic districts.

The objective shall be met through continued adherence to the City's Historic Preservation Ordinance and, where applicable, to architectural design guidelines through the following policies:

HPE Policy 1.4.1

Continue to require that the Historic Preservation Board make findings that any land use or development application for a historic structure, site or within a historic district, is consistent with the provisions of the Secretary of the Interior's Standards for Rehabilitation, the Land Development Regulations, and Delray Beach Historic Preservation Design Guidelines.

The development proposal involves the construction of a one-story detached accessory structure on the site of a three-story individually designated commercial structure. The proposed use of the new structure is utilitarian in its nature service as laundry and maintenance facilities for the hotel. There are no concerns with respect to soil, topographic or other physical considerations. With respect to the adjacent land uses, the property is in an area surrounded by various commercial structures. In order to ensure compliance with this Comprehensive Plan policy, the board will need to approve the waiver request and make a determination that the proposal can be found to be consistent with the requirements of this policy.

ALTERNATIVE ACTIONS

- A. Move to continue with direction.
- B. Approve the Level 2 Site Plan, Landscape Plan, Architectural Elevations, and Certificate of Appropriateness (2023-154), for the property located at **525 E. Atlantic Ave known as the Colony Hotel, Individually Listed to the Local Register of Historic Places**, by finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations.
- C. Approve the Level 2 Site Plan, Landscape Plan, Architectural Elevations, and Certificate of Appropriateness (2023-154), for the property located at **525 E. Atlantic Ave known as the Colony Hotel, Individually Listed to the Local Register of Historic Places**, by finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, subject to the following conditions:
- D. Deny the Level 2 Site Plan, Landscape Plan, Architectural Elevations, and Certificate of Appropriateness (2023-154), for the property located at **525 E. Atlantic Ave known as the Colony**

Hotel, Individually Listed to the Local Register of Historic Places, by finding that the request is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in the Land Development Regulations.

PUBLIC AND COURTESY NOTICES	
<input checked="" type="checkbox"/> Courtesy Notices are not required for this request.	<input checked="" type="checkbox"/> Public Notices are not required for this request. <input checked="" type="checkbox"/> Agenda was posted on 10/25/23, 5 working days prior to meeting.