



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

SITE PLAN REVIEW AND APPEARANCE BOARD STAFF REPORT

Delray Townhomes

Meeting	File No.	Application Type
November 29, 2023	2021-025	Level 3 Site Plan (previously a Class V – classifications have changed in accordance with the adoption of Ordinance 31-23)
Property Owner		Agent
Ocean Ridge Rentals LLC		Kimley Horn and Associates

Request

Consideration of a Level 3 Site Plan Application, including a Landscape Plan and Architectural Elevations, for a 25-unit multi-family development.

Site Data & Information

Location: 4652 133rd Road South

PCN: 12-42-46-12-00-000-3200

Property Size: 3.173 acres (gross), 3.046 (net)

Land Use Designation: Multiple Family Residential (MD)

Zoning: Medium Density Residential (RM-8)

Adjacent Zoning:

- **North:** PRD (Bexley Park), R-1-AA (Single Family)
- **South:** RM
- **West:** Unincorporated
- **East:** Unincorporated (pending annexation and rezoning to R-1-A)

Existing Land Use: Single Family Residential

Proposed Land Use: Multi-family residential (25 units)

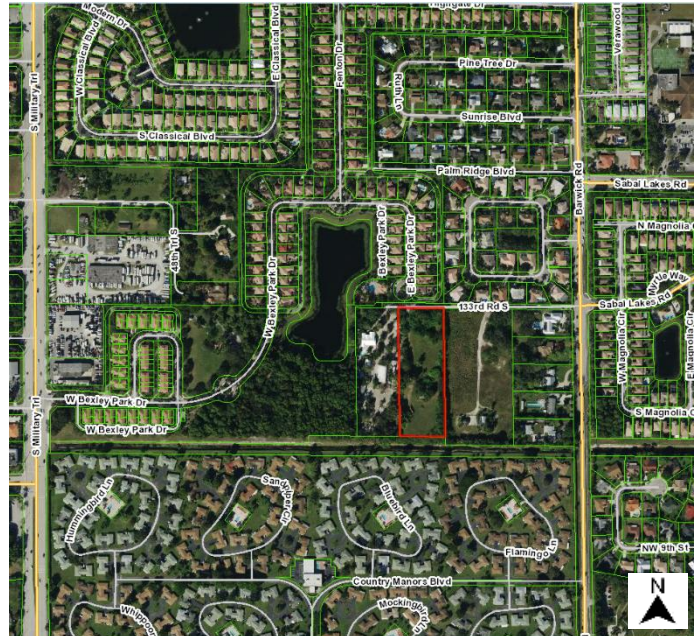
Floor Area Ratio:

- **Existing:** 0.016
- **Proposed:** 0.43
- **Maximum Allowed:** Not Requirement

Density:

- **Existing:** 0.3 du/acre
- **Proposed:** 7.89 du/acre
- **Maximum Allowed:** 8 du/acre

This report was originally published for the September 27, 2023, SPRAB meeting. Note that code sections referenced from Chapter 2 of the LDRs in the original report reflect the applicable code section predating the adoption of Ordinance 31-23. While all applicable criteria for review remain the same, the specific code section within the ordinance may differ from what is referenced in the report.





Background

The site was developed with a single-family residence in 1975 when it was part of unincorporated Palm Beach County. In 2007, the subject property was annexed into the City of Delray Beach via Ordinance No. 70-06 with a zoning district designation of RM-8. Subsequently, an application for a rezoning was submitted for consideration in 2020 to change the zoning district from RM-8 to RM, which would thereby have changed the density threshold from 8 du/acre to 12 du/acre. This request was later withdrawn by the applicant prior to a final action. As such, the subject request is reviewed according to the parameters of the RM-8 development standards.

This request was considered at the September 27, 2023, SPRAB meeting. While the project was generally supported, Board discussion during the meeting raised concerns over the traffic impact of the project on Barwick Road, and whether the provided traffic study and TPS approval letter - which was from 2021 when the application was initially submitted and is still considered valid per the requirements of Palm Beach County TPS review - should be updated to reflect an analysis that takes into account contextual changes that may have occurred between 2021 and today; and specifically references the traffic impact of the development during school pick-up hours in the afternoon. The Board voted to continue the request to a later meeting with direction to provide an updated traffic analysis. The applicant has taken the Board's feedback and provided an updated traffic analysis that addresses traffic demands during school hours and an updated TPS approval letter that illustrates the project still meets TPS standards for approval with an insignificant impact on the road network (see updated concurrency analysis).

Description of Proposal

The proposal consists of a new multi-family development including five two-story residential structures, with five units in each (for a total of 25 units). Each building contains four 3-bedroom units and one 2-bedroom unit. The development form is reminiscent of a townhouse typology, utilizing the Mediterranean revival architectural style. Although the units will not be fee-simple with the intention for the entire rental development to instead be encompassed by a single property parcel. Residential amenities are also offered, including a clubhouse with swimming pool, recreational facilities for multiple age groups, and a shared use path at the rear of the development adjacent to the canal right of way. No waivers or other types of relief are requested in conjunction with this site plan request.

The development configuration includes a private access drive that transects the middle of the parcel with two residential buildings located to the west of the drive and three residential buildings and the clubhouse located to the east. The project includes a 25 foot right of way dedication along 133rd Road South. The applicant is obligated to improve the right of way as illustrated on the plans, and as deemed necessary to support the development. Specifically, the expansion of the right of way includes the widening of travel lanes to 9 feet, and the inclusion of a sidewalk on the north side of the right of way extending to Barwick Road (where no sidewalk currently exists), as well as a sidewalk on the south side of the right of way for the portion adjacent to the subject property. The Development Services Management Group (DSMG) reviewed and approved the right of way two-way lane width of 18 feet in 2021. While the 18-foot width is less than would typically be required it is an increase over the travel lane width currently provided along 133rd Rd South and is the maximum feasible given the constraints of the existing conditions.



**Review & Analysis: Site Plan and Zoning**

A Class V Site Plan is an application for new development of vacant land which requires full review of Performance Standards found in Section 3.1.1. In addition to provisions of Chapter 3, the approving body must make a finding that development of the property as represented by the Class V site plan or MDP will be compatible and harmonious with adjacent and nearby properties and the City as a whole, so as not to cause substantial depreciation of property values.

LDR Section 3.1.1 Required Findings, prior to the approval of development applications, certain findings must be made in a form which is part of the official record. This may be achieved through information on the application, written materials submitted by the applicant, the staff report, or minutes. Findings shall be made by the body which has the authority to approve or deny the development application.

A complete review and analysis of the request based on the Required Findings of LDR Section 3.1.1 are provided throughout the following report sections.

3.1.1(A), Land Use Map

The resulting use of land or structures must be allowed in the zoning district within which the land is situated and said zoning must be consistent with the applicable land use designation as shown on the Land Use Map.

The subject property has a Land Use Map designation of MD, and a zoning designation of RM-8, which is a compatible zoning district to implement the MD land use designation. A townhouse typology residential development, specified in the LDR as attached single-family housing, is permitted within the RM-8 district.

3.1.1(B), Concurrency

Concurrency as defined by Objective NDC 3.1 of the Neighborhoods, Districts, and Corridors Element of the adopted Comprehensive Plan must be met and a determination made that the public facility needs, including public schools, of the requested land use and/or development application will not exceed the ability of the City and The School District of Palm Beach County to fund and provide, or to require the provision of, needed capital improvements in order to maintain the Levels of Service Standards established in Table CIE-2, Level of Service Standards, of the Capital Improvements Element of the adopted Comprehensive Plan of the City of Delray Beach.

Potable Water and Sewer: Water and sewer services will be connected to adjacent available networks pursuant to approval of the utilities plan reviewer. Pursuant to the Comprehensive Plan, treatment capacity is available at the City's Water Treatment Plant and the South-Central County Wastewater Treatment Plant for the City at build-out.

Drainage: Drainage and water run-off will be addressed through on-site retention, which should not impact the level of service standard.

Transportation: An updated Traffic Performance Standards (TPS) letter has been provided by Palm Beach County indicating the project meets concurrency standards with an anticipated net daily increase of 159 trips as compared to the previous use, generating a total of 9 new trips at AM peak hour and 12 new trips at PM peak hour. The street network is being adequately expanded to accommodate the anticipated increase in traffic to the site. The provided traffic study also includes analysis of roadway impact from the traffic demands of the development during the hours of afternoon school pick-up and concludes that the trip generation during these hours is insignificant with an average of 8 trips per hour occurring to/from the subject development between the hours of 1pm and 3pm. This equates to an anticipated trip every 7.5 minutes during school pick-up hours. The proposed scope also includes the provision of a new 5' sidewalk along 133 Rd South providing a pedestrian connection to Barwick Road where none currently exists.

Parks and Open Space: A park impact fee of \$500 per residential unit will be applied at the time of building permit.

Solid Waste: The Solid Waste Authority has indicated that its facilities have sufficient capacity to accommodate all development proposals until 2054.

Schools: A SCAD letter has been provided by Palm Beach County School Board indicating the proposed development will have no negative impact on the School District.

**3.1.1(C), Consistency**

A finding of overall consistency may be made even though the action may be in conflict with some individual performance standards contained within Article 3.2, provided that the approving body specifically finds that the beneficial aspects of the proposed project (hence compliance with some standards) outweighs the negative impacts of identified points of conflict.

The applicable subsections of Article 3.2, Performance Standards, are Section 3.2.1, which requires a determination of consistency with the Comprehensive Plan, and Section 3.2.3, which provides standards for site plan actions.

Section 3.2.3, Standards for site plan and/or plat actions

The proposed development generally meets the applicable standards. There are no identified areas of concern with regard to impacts from the overall site configuration and building design on the surrounding area. The buildings are dispersed throughout the site in a manner that preserves open space, and substantial landscaping is interspersed throughout the site to provide visual buffering from adjacent properties. The scale of the development is appropriate for a land use designation and zoning district that supports multi-family residential development. The Mediterranean Revival architectural style is customarily appropriate for the region. The proposed project improves connectivity of the pedestrian network. Clearly demarcated sidewalks are provided within the development as well as connections to the sidewalk network to the exterior of the site via the new sidewalk that is proposed along 133rd Road South, which thereby provides pedestrian connection to Barwick Road where it currently does not exist. There are recreation amenities appropriate for multiple ages provided within the site as an amenity to residents. The proposed street widening of 133rd Rd has not been found to be detrimental to the surrounding neighborhood, and by contrast, will actually serve to benefit the expansion of the mobility network.

Comprehensive Plan

Overall, the proposed application is consistent with any applicable Goals, Objectives, or Policies of the Comprehensive Plan, particularly those of the Neighborhood, Districts, and Corridors Element. The Proposal includes the redevelopment of a lot within the parameters of the RM-8 regulations that encourage growth at a scale and intensity compatible with the development pattern found throughout the adjacent area.

Policy NDC 1.2.7 Use the Medium Density Residential land use designation to create and maintain residential neighborhoods with a wide range of housing types with associated neighborhood amenities at a density more than five and up to 12 units per acre.

Further, Objective HOU 3.2, Expansion of the Housing Supply, provides policies to support “allowing different unit types in a variety of locations for all income levels.” The inclusion of a rental development within a predominantly fee-simple single-family residential area will provide an option for families of all types seeking to live where children are in close proximity to schools, and there are nearby commercial areas that are easily accessible.

Policy HOU 3.2.1 Indicates the intent to *allow a variety of housing types to reflect the needs of all household types, including both rental and ownership opportunities for single people, couples, families, seniors, persons with disabilities and multi-generational families.* While this proposal does not include one-bedroom units, there is a need to provide quality housing stock for families at multiple price points. The majority of for-rent development proposed in the downtown core are one-bedroom unit types. It is important to provide rental inventory for families, especially in areas that are largely dominated by single-family development patterns. This project fulfills the intent of the policy by providing a niche unit type, which is quality rental inventory appropriate in size and location to accommodate families.

Policy HOU 1.1.5 indicates the intent to *accommodate Delray Beach’s existing and future housing needs through maintenance of existing residential neighborhoods, provision of infill development opportunities and redevelopment of underutilized parcels.* The subject parcel is an underutilized piece of land that is already zoned to support a multi-family development. The proposed project is consistent with the referenced policy by introducing an opportunity for infill redevelopment of an underutilized property.

**3.1.1(D), Compliance with the LDRs**

Whenever an item is identified elsewhere in these Land Development Regulations (LDRs), it shall specifically be addressed by the body taking final action on a land development application/request. Such items are found in Section 2.4.5 and in special regulation portions of individual zoning district regulations.

Section 4.4.6, Medium Density Residential

Standard/Regulation	Review	
Height 4.3.4(K) – Development Standards Matrix	Maximum: 35 feet; Proposed: 25 feet, 5 inches; measured to mean height of pitched roof	
Setbacks 4.3.4(K) – Development Standards Matrix	Minimum Required Front – 25 feet Rear – 30 feet Interior – 18.75 feet	Provided: Front – 25 feet Rear – 55 feet Interior – 18.75 feet
Building Separation 4.6.2	Minimum Required: 30 feet	Provided: 34 feet, 8 inches
Open Space	Minimum: 25%	Provided: 56%
Lot Coverage 4.3.4(K) – Development Standards Matrix	Maximum: 40%	Provided: 25%

Other Development Regulations

Standard/Regulation	Review
4.6.9, Off-Street Parking	Required: 2 per unit and 12 guest (62 total) Provided: 79 total Required parking for each unit is provided in the garage and driveway, and one guest space for each unit is located in the driveway. Tandem parking is permissible for multi-family residential when a duplex or townhouse typology is utilized.
4.4.6(I), RM Performance Standards (for increased density over 6 du/acre)	In order to increase a project density beyond six units per acre, <u>the approving body must make a finding that the development substantially complies with the performance standards listed in this section.</u> The intent of the standards is to mitigate the impacts of the additional density both internal and external to the site. The extent to which a project meets the standards will determine the number of units per acre that will be permitted. For example, if a project meets or exceeds all of the standards, and is otherwise consistent with applicable standards and policies of the City's Comprehensive Plan and Land Development Regulations, the maximum density is permitted. Projects which only partially achieve these standards will be permitted a correspondingly lower density. The performance standards are as follows: (a) The traffic circulation system is designed to control speed and reduce volumes on the interior and exterior street network. This can be accomplished through the use of traffic calming devices; street networks consisting of loops and short segments; multiple entrances and exits into the development; and similar measures that are intended to minimize through traffic and keep speeds within the development at or below 20 m.p.h. <ul style="list-style-type: none"> The proposed development meets this intent. (b) Buildings are placed throughout the development in a manner that reduces the overall massing, and provides a feeling of open space.

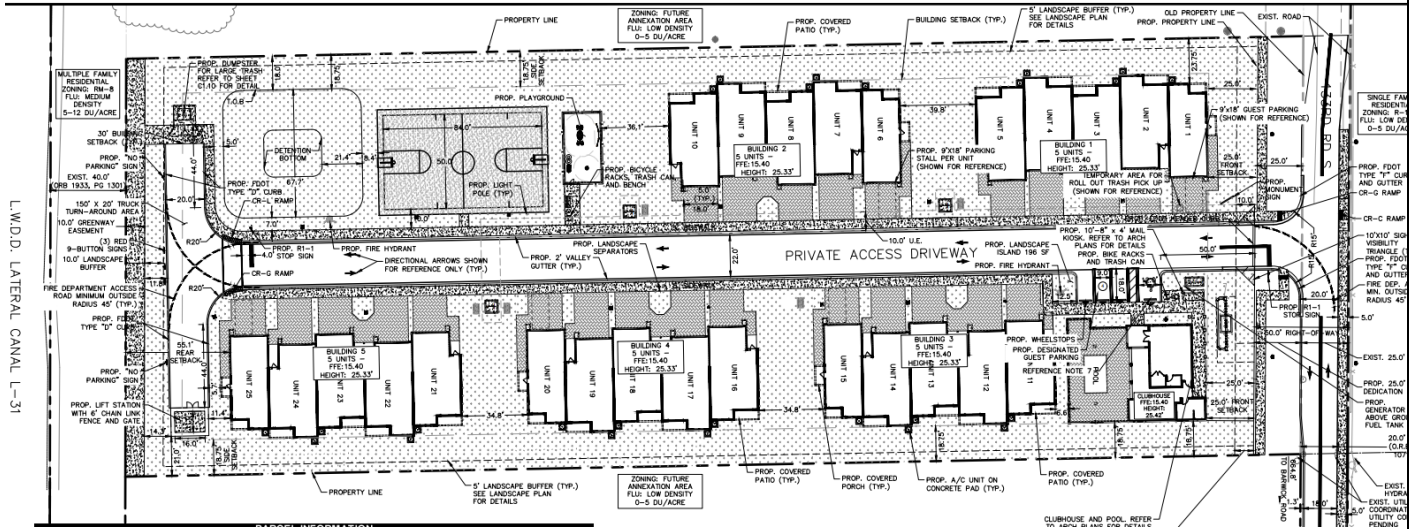


	<ul style="list-style-type: none">• The proposed development disperses the units throughout five separate residential buildings, all spaced according to the minimum separation and setback requirements. The development far exceeds the minimum amount of required open space. <p>(c)Where immediately adjacent to residential zoning districts having a lower density, building setbacks and landscape materials along those adjacent property lines are increased beyond the required minimums in order to provide a meaningful buffer to those lower density areas. Building setbacks are increased by at least 25 percent of the required minimum; at least one tree per 30 linear feet (or fraction thereof) is provided; trees exceed the required height at time of planting by 25 percent or more; and a hedge, wall or fence is provided as a visual buffer between the properties.</p> <ul style="list-style-type: none">• The proposed development provides an increased side interior setback of 18.75" to comply with this standard. <p>(d)The development offers a varied streetscape and building design. For example, setbacks are staggered and offset, with varying roof heights (for multi-family buildings, the planes of the facades are offset to add interest and distinguish individual units). Building elevations incorporate diversity in window and door shapes and locations; features such as balconies, arches, porches, courtyards; and design elements such as shutters, window mullions, quoins, decorative tiles, etc.</p> <ul style="list-style-type: none">• The proposed development provides a building design that introduces offsets between units and other design details to provide stylistically appropriate interest across the facades. That being said, each residential unit is a reproduction of the same design, and the only variety is provided by the clubhouse design. <p>(e)A number of different unit types, sizes and floor plans are available within the development in order to accommodate households of various ages and sizes. Multi-family housing will at a minimum have a mix of one, two and three bedroom units with varying floor plans. Single family housing (attached and detached) will at a minimum offer a mix of three and four bedroom units with varying floor plans.</p> <ul style="list-style-type: none">• The proposed development includes 20 3-bedroom units and 5 2-bedroom units. <p>(f)The development is designed to preserve and enhance existing natural areas and/or water bodies. Where no such areas exist, new areas which provide open space and native habitat are created and incorporated into the project.</p> <ul style="list-style-type: none">• The proposed development exceeds the minimum amount of open space and provides a shared-use recreational path at the rear of the property as an amenity for public access adjacent to the canal. <p>(g)The project provides a convenient and extensive bicycle/pedestrian network, and access to available transit.</p> <ul style="list-style-type: none">• The proposed development provides bicycle storage and expanded sidewalks providing mobility connections to Barwick Road. The bicycle and pedestrian amenities are provided to an appropriate degree internal to the development given the over property size and intensity of the project.
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It is acknowledged that some of the above referenced standards may not be entirely applicable to small, infill type residential projects. For those types of projects, the ultimate density should be based upon the attainment of those standards which are applicable, as well as the development's ability to meet or exceed other minimum code requirements.

Analysis: The development proposal generally meets the performance standards applicable for a project of this scope and intensity to the degree that an increase to 8 du/acre is appropriate.



Review & Analysis: Landscape Plan

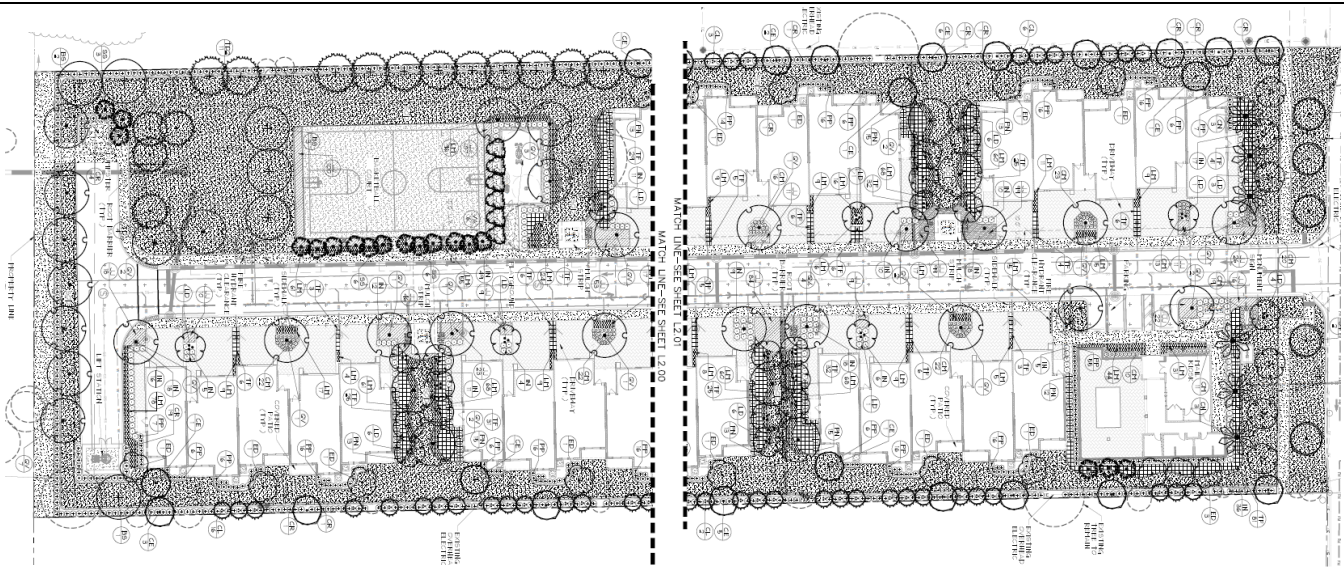
LDR Section 2.4.5(H)(5), Findings

At the time of action on a landscape plan, the approving body shall make finding with respect to the proposed plan's relationship to the following:

- Objectives of landscaping regulations Section 4.6.16.;*
- Site and landscape design standards pursuant to Section 4.6.16.*

An overall determination of consistency with respect to the above items is required in order for a landscaping plan to be approved.

The Landscape Plan has been reviewed for technical compliance by the Landscape Plan Reviewer and the scope of work has been deemed to comply with all applicable regulations. A thorough mix of shade trees, shrubs, and ground landscaping is interspersed throughout the site to help soften the mass of the buildings as well as accentuate and supplement the outdoor amenity space. A landscape buffer is proposed around the extent of the site to provide visual screening from adjacent properties. Requisite street trees are planted along the 133rd Road S corridor. The applicant has sufficiently met mitigation requirements for the removal of existing trees by providing new trees and palms on site (see mitigation table on L1.02 for more information). The applicant will be required to enter into a Landscape Maintenance Agreement for the street trees prior to issuance of a building permit.



Review & Analysis: Architectural Elevations and Aesthetics

LDR Section 2.4.5(l)(5), Architectural (Appearance) Elevations: Findings

At the time of action on architectural elevations the approving Board shall make findings with respect to the objectives and standards as contained in the architectural regulations, Section 4.6.18. An overall determination of consistency with respect to the above is required in order for an architectural plan to be approved.

4.6.18, Architectural Elevations and Aesthetics

(A), Minimum Requirements

1. *The requirements contained in this Section are minimum aesthetic standards for all site development, buildings, structures, or alterations except for single family development.*
2. *it is required that all site development, structures, buildings, or alterations to same, show proper design concepts, express honest design construction, and be appropriate to surroundings.*

Consideration of the requirements is provided throughout the review below.

(E), Criteria for board action

The following criteria shall be considered, by the Site Plan Review and Appearance Board or Historic Preservation Board, in the review of plans for building permits. If the following criteria are not met, the application shall be disapproved.

1. *The plan or the proposed structure, is in conformity with good taste, good design, and in general contributes to the image of the City as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas, and high quality.*
2. *The proposed structure, or project, is in its exterior design and appearance of quality such as not to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.*
3. *The proposed structure, or project, is in harmony with the proposed developments in the general area, with the Comprehensive Plan, and with the supplemental criteria which may be set forth for the Board from time to time.*

The proposed design is in conformity with good taste and introduces a well-executed example of an architectural style that is customarily appropriate for the region. The white-centric neutral color palette with warm clay/brown accents is fitting for the style. Subtle utilization of design treatment and detail delivers a true-to-style interpretation of Mediterranean revival. The quality of the design is such that the project is in harmony with the surrounding neighborhood and comprehensive plan, and would generally positively contribute to the image of the City.

However, the board should consider whether the front façade would be improved, such that it more successfully meets the intent of the applicable criteria, if there was a more prominently emphasized front-door character for each unit. As currently designed, the garage doors dominate the extent of the composition. Design elements that reinforce and accentuate the front door – such as raised stoops, front porches, or more impactful covered entry detailing - might facilitate a better connection between the residences and



the shared community space. Instead, the design lends itself to internalization where each unit may appear disconnected from the rest of the neighborhood.



Technical Notes

- Prior to building permit and/or at time of platting, applicant shall submit for recordation into the public record a public access easement along the full extent of the shared use path.
- Prior to issuance of a building permit, applicant shall submit for approval of the City Commission a Landscape Maintenance Agreement for perpetual maintenance of all landscaping within the right of way.
- Prior to site plan certification, the applicant will apply for and receive approval of a plat.

Optional Board Motions

- Move **approval** of the Level 3 Site Plan Application known as Delray Townhomes (2021-025), including a Landscape Plan and Architectural Elevations for a 25-unit multi-family development, located at 4652 133 Road South, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations.
- Move **approval, as amended**, of the Level 3 Site Plan Application known as Delray Townhomes (2021-025), including a Landscape Plan and Architectural Elevations for a 25-unit multi-family development, located at 4652 133 Road South, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations.
- Move **denial** of the Level 3 Site Plan Application known as Delray Townhomes (2021-025), including a Landscape Plan and Architectural Elevations for a 25-unit multi-family development, located at 4652 133 Road South, by finding that the request is not consistent with the Comprehensive Plan and does not meet criteria set forth in the Land Development Regulations.



D. Move to **continue with direction.**

Courtesy Notices

The following Neighborhood Associations will receive a Courtesy notice via email:

- Sabal Lakes
- Barwick Ranch Estates
- Bexley Park