



# SITE PLAN REVIEW AND APPEARANCE BOARD STAFF REPORT

## DEVELOPMENT SERVICES DEPARTMENT

100 NW 1<sup>ST</sup> AVENUE, DELRAY BEACH, FLORIDA 33444

PLANNING & ZONING DIVISION: (561) 243-7040 • BUILDING DIVISION: (561) 243-7200

### SITE PLAN REVIEW AND APPEARANCE BOARD

Meeting: August 28,  
2019

File No.: 2019-253 SPF-SPR-  
CLI

Application Type: Class I Site Plan Modification

#### General Data:

Owner: Menin Development Inc

Location: 110 E. Atlantic Avenue

PCN: 12-43-46-16-01-077-0010

Property Size: 0.457 Acres

FLUM: CC (Commercial Core)

Zoning: CBD (Central Business District)

#### Adjacent Zoning:

- North: CBD
- South: CBD
- East: CBD
- West: OSSHAD (Old School Square  
Historic Arts District)

Existing Land Use: Restaurant, Retail and Office

Proposed Land Use: Restaurant, Retail, Office



#### Item before the Board:

The action before the Board is for the consideration of a Class I Site Plan Modification for 110 E. Atlantic Ave pursuant to LDR Section 2.4.5 (G), including:

Installation of retractable awnings for Rocco's Tacos and L'Acqua.

#### Optional Board Motions for Action Items:

1. Move to continue with direction.
2. Move approval of the Class I (2019-253) Site Plan Modification, and Architectural Elevations for 110 E. Atlantic Avenue, as amended by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Sections 2.4.5(G)(5), 2.4.5(I)(5), 4.6.18(E), and Chapter 3 of the Land Development Regulations.
3. Move denial of the Class I (2019-253) Site Plan Modification, and Architectural Elevations for 110 E. Atlantic Avenue, by finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in Sections 2.4.5(G)(5), 2.4.5(I)(5), 4.6.16, 4.6.18(E), and Chapter 3 of the Land Development Regulations.

Project Planner: Jennifer Buce buce@mydelraybeach.com 561-243-7138
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Review Dates: August 28, 2019
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Attachments: 1. Building Elevations
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### Assessment and Summary:

The property consists of 0.457 acres and is currently zoned CBD (Central Business District). The proposal consists of the installation of retractable awnings for the two ground floors restaurants, Rocco's Taco and L 'Aqua. The awnings will face the north and west elevations. The proposed changes will require a canopy hold harmless agreement.

### Background:

The subject property is located on the south side of East Atlantic Avenue at SE 3<sup>rd</sup> Avenue within the Central Business District (CBD) and consists of Lots 1-3 and Lots 7-9, Block 77, Town of Delray. The property contains a four-story office building with underground parking and was formally known as the GRIP Building originally built in 1976. The property has an extensive land use history. The following are the most recent land use actions that relate to the property:

On February 14, 2001, the SPRAB approved a site plan modification consisting of minor changes to the site and extensive façade changes to accommodate SOPRA restaurant. Further modifications, including the installation of a 144 square foot walk-in cooler with an eight-foot-high concrete block wall enclosure at the south side of the building, were approved by the SPRAB at its meeting of April 25, 2001.

On September 8, 2004, the SPRAB approved a site plan modification to convert 1,607 square feet of general commercial (office) floor area to restaurant (ice cream parlor). The modifications included: a) the replacement of the two (2) easternmost windows along the north elevation with aluminum and steel cable railings; b) the replacement of the windows at the northwest corner of the building with concrete stairs and aluminum hand rails; and c) the installation of a new storefront within the footprint of the building, approximately nine feet from the existing exterior wall facing East Atlantic Avenue to accommodate an entrance from Atlantic Avenue and SE 1st Avenue at the northwest corner of the building, and a 295 square foot outdoor seating area.

At its meeting of March 11, 2011, the SPRAB approved a Class III site plan modification consisting of a 355 square foot kitchen expansion and architectural elevation changes to operate a restaurant on the southeast corner of the building known as Café de France. The modifications included the installation of black fabric awning along the west elevation to cover a sidewalk café area along SE 1st Avenue.

On August 27, 2014, SPRAB approved a Class III site plan modification, landscape plan, and architectural elevations for Rocco's Tacos to convert 423 sq. ft. of lobby space to restaurant, including a new kitchen, ADA compliant restrooms, sidewalk café dining area at the front of the building, and a handicap parking space at the rear.

On February 24, 2016 a Class III Site Plan Modification, Landscape Plan and Architectural Elevations with a waiver request for the porch depth was approved for 5' where an 8' is required was approved.

Now before the board is a Class I Site Plan Modification for the addition of retractable awnings on the north and west elevations for the existing restaurants Rocco's Tacos and L 'Aqua.

### Project Description:

The subject request includes minor changes which includes the addition of retractable awnings on the north and west elevations for the existing restaurants Rocco's Tacos and L 'Aqua to shade patrons from the elements of the environment.

### Architectural Elevation Analysis:

**LDR Section 4.6.18(E) – Criteria for Board Action:** The following criteria shall be considered, by the Site Plan Review and Appearance Board (SPRAB), 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 architectural elevation changes include the installation of retractable awnings located along E. Atlantic Avenue to cover the outdoor seating for Rocco's Tacos and L 'Aqua. The awnings located at Rocco's are 37' x 8'3" and at L 'Aqua 22' x 8'3". L 'Aqua will also have awnings that extend on the west elevation; 19' x 8'3". The proposed fabric awning is to be in the Sunbrella Oyster color style and will be mounted at a height of 10 ft. The awnings will be in the open position during the restaurants' operation hours for the enjoyment of the patrons to be protected from the elements of the environment. The proposed awnings will encroach into the public right-of-way on East Atlantic Avenue in the open position. Pursuant to LDR Section 4.3.4(H)(4)(o) canopies, marquees and covered walkways may extend within front and side setback areas in commercial zone districts through the approval of Canopy Hold Harmless Agreement with the City per LDR Section 6.3.4.

The proposed architectural elevation changes will not adversely affect the surrounding area, will not materially depreciate the neighboring areas, and will provide shade and protection from all elements of our environment.

**Review by Others:**

- At the meeting of August 12, 2019, the **DDA (Downtown Development Authority)** reviewed the development proposal.