

Planning & Zoning Department

BOARD ACTION REPORT - APPEALABLE ITEM

Project Name: Bahia Delray
Project Location: 1001 Crystal Way

Request: Class IV Site Plan Modification consisting of the site plan,

architectural elevations, and landscape plan.

Board: Site Plan Review and Appearance Board

Meeting Date: February 10, 2016

Board Actions:

• Site Plan: Approved with conditions (5-2, Vlad Dumitrescu and Jim Knight dissenting)

• Architectural Elevations: Tabled (7-0)

Landscape Plan: Approved with conditions (7-0)

Project Description:

The project is located at 1001 Crystal Way, as part of the existing Bahia Delray multifamily residential development. The property, which is zoned RM (Medium Density Residential), currently consists of 17 buildings with 236 units.

The proposal involves the construction of 8 new buildings containing a total of 37 townhouse units, new parking and landscaping, provision of a tot lot, removal of a tennis court, and other associated improvements to the development.

Staff Recommendation:

Site Plan: Approve subject to the conditions that all plans are revised to illustrate preservation of Tree #194 and Tree #197, and removal of the associated/proposed parking spaces.

Landscape Plan: Approve subject to the condition that the plan be revised in accordance with the site plan revisions associated with the preservation of Tree #194 and Tree #197.

Architectural Elevations: Approve subject to the following conditions:

- 1. That revised elevations for Building #3 be provided which mirror the presently proposed elevations, to preserve Tree #197; and,
- 2. That the color scheme be revised to be consist with the existing development, including the roof tile color.

Board comments:

The Board noted that the proposed lighting levels would not be sufficient, the architecture and proposed colors were not consistent with the existing buildings, and the amount of proposed trees to be removed. The Board also inquired about notification to the existing residents whose Council was present to indicate that the association was notified by certified mail, but that per the condo documents, the association cannot oppose any modifications to the property.

The Board added the following conditions to Staff's Recommendation:

- Site Plan: 1. That the driveways and walkways for the units not be finished with asphalt; 2. That the transformer pads are noted on the plans; 3. That the photometric plan include lighting levels for the roadways and driveways throughout the property.
- Landscape Plan: 1. That the application be thoroughly reviewed again by Peter Anuar, Senior Landscape Planner, to see if more trees can be saved.

Public Comment:

Alice Finst inquired about the removal of one tennis court, and the placement of the proposed buildings within the view shed of the existing residents.

Associated Actions:

None

Next Action: The SPRAB action is final unless appealed by the City Commission. The architectural elevations are tentatively scheduled for reconsideration by SPRAB on March 9, 2016.

Attachments:

• SPRAB Staff Report with proposed plans and exhibits.

SITE PLAN REVIEW AND APPEARANCE BOARD

CITY OF DELRAY BEACH

---STAFF REPORT---

RECOMMENDATION: Approve with conditions

MEETING DATE: February 10, 2016

ITEM: Bahia Delray - Class IV Site Plan Modification, Landscape Plan, and Architectural

Elevations associated with the construction of 37 two-story townhome units and

associated site improvements.

GENERAL DATA:

Owner:. Marson Development

Authorized Agent: Charles Putman and Associates

Location: 995 Crystal Way

Property Size: 25.19 Acres

Future Land Use Map: MD (Medium Density 5-12 du/ac)

Current Zoning: RM (Medium Density Residential)

Adjacent Zoning

North: SAD

(Special Activities District)

East: RM & CF (Community Facilities)

South: R-1-AA (Single Family Residential) & RM

West: OS (Open Space)

Existing Land Use: Multi-Family Residential

(Two-story Condominium Units)

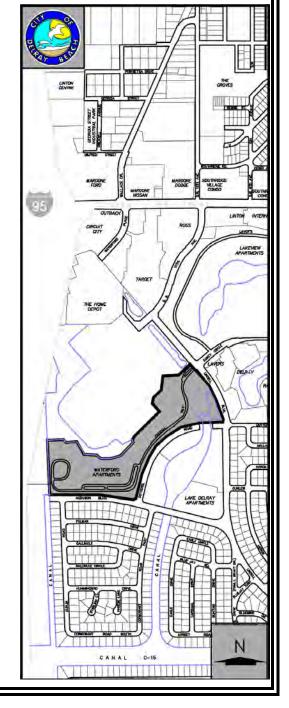
Proposed Land Use: 37 Townhouse Units

Water Service: Existing 8" water main within the Waterford

Village Subdivision.

Sewer Service: Existing 8" Sewer line within the Waterford

Village Subdivision.



ITEM BEFORE THE BOARD

The item before the Board is the approval of a Class IV Site Plan Modification and associated Landscape Plan, Architectural Elevations and Waiver request for **Bahia Delray**, pursuant to Land Development Regulations (LDR) Section 2.4.5(F).

BACKGROUND

This project is located approximately 2100 feet south of Linton Boulevard along Dotterel Road, and consists of all of the Plat of Waterford Village, according to the Plat thereof, as recorded in Plat Book 61, Page 80 of the Public Records of Palm Beach County. The 25.19 acres parcel is currently occupied by seventeen (17) two-story residential apartment buildings totaling 236 units, a clubhouse and recreation building. The apartment units have since converted to fee-simple ownership as condominium units.

In 1984, a rezoning from PRD-4 to Special Activities District (SAD) was approved by Ordinance 79-84 for an 86.42-acre tract of land which included the subject property. On February 21, 2006, a rezoning from SAD to RM (Medium Density Residential) was approved at second reading by Ordinance 7-06 on February 21, 2006.

The rezoning was reviewed concurrently and associated with a Class IV Site Plan Modification request for Bahia Delray which was to add 46 additional townhouse units within ten three-story apartment buildings, and associated site improvements. The approval was granted by the Board at its meeting of April 26, 2006 and included a waiver which allowed back-out parking onto a private street with an ADT (Average Daily Trips) in excess of 200. The project did not commence, and an extension of the approved site plan was granted in 2008. An additional extension was requested and approved in 2010. The project has since expired.

PROJECT DESCRIPTION

The subject request is a Class IV Site Plan Modification for the construction of 37 new two-story townhouse units within 8 new buildings throughout the 25.19 acre site. The additional 37 units will increase the density for the development from 9.36 to 10.83 dwelling units per acre.

The new buildings will consist of three-bedroom units with a one-car garage. The 8 buildings will consist of a combination of one 8-unit building, one 7-unit building, four 4-unit buildings, and two 3-unit buildings. Two of the buildings are located towards the front (east) of the development within Parcel 3, while the balance of the new buildings will be located to the back (west) of the development within Parcels 6, 7, and 8.

Additional site improvements include a new Tot Lot within Parcel 7, adjacent to Building 5, and the elimination of the westernmost Tennis Court in order to accommodate Building 4. New landscaping will be provided throughout the development, as well as additional parking spaces, as required by the proposed units.

SITE PLAN ANALYSIS

Items identified in the Land Development Regulations (LDR) shall specifically be addressed by the body taking final action on the site and development application/request.

LDR Section 4.3.3(O) Townhouses and Townhouse Type Development: The following special requirements apply to townhome or townhouse development and to apartment complexes, which are designed in the style of a townhome.

Plat Required: Pursuant to LDR Section 4.3.3(O)(2), each townhouse, or townhouse type development shall be platted and each unit must be shown on the plat with a minimum designation of the interior street as a tract. The site is currently platted in Plat book 61, Pages 80, 81, & 82. No new lots will be created the units as these are considered as condominium plats.

Setbacks: Pursuant **to LDR Section 4.3.3(O)(3)(a)**, setbacks from the perimeter of the overall project should be as established by the base zone district requirements. Pursuant to **LDR Section 4.3.3(O)(3)(b)**, setbacks interior to the site shall be measured from the platted street system. Pursuant to **LDR Section 4.3.3(O)(3)(c)**, setbacks interior to the project with respect to side and rear lot lines shall not be observed; but in-lieu thereof structures (dwelling unit groups) shall not be located closer than twenty-five feet (25') for a two-story structure, nor thirty feet (30') for a three story, or greater, structure.

The required setbacks within the RM zoning district and the minimum provided setbacks are as follows:

	Standard	Provided
Minimum Setbacks-Perimeter		
Front	30'	45' (exists)
Side Street	30'	35'-11"
Rear (West)	25'	25'-32'6"
Minimum Setbacks-Interior		
Between Two-Story Buildings	25'	30'+

All the interior setbacks from the platted street system (Tract R-Crystal Way) meet the front and side interior setback requirements. Based upon the above, a positive finding with respect to LDR Section 4.3.3(O)(3) can be made.

Design Standards: Pursuant to **LDR Section 4.3.3(O)(4)**, the following Design Standards apply:

a) No more than two (2) townhouses may be constructed without providing a front setback of no less than four feet (4') offset front to rear.

The purpose of this requirement is to prevent a long linear appearance. The proposed development contains eight buildings which provide variation in the front and rear elevations the roof line, and the number of units. The units are offset approximately 7' between the garage and the front entry to provide undulations within the primary wall planes. The rear wall planes are generally flat, but are vertically broken up with the provision of a roof overhang at the rear entry on all the buildings. Thus, this standard has been met.

b) No townhouse row shall consist of more than 8 units or a length of 200'.

The largest building proposed consists of the maximum of 8 units in a townhouse row with a length of 176'-8" feet. Thus, the site plan meets this code requirement.

c) Service features, garages, parking areas, and entrances to dwelling units shall, whenever possible, be located on a side of the individual lot having access to the interior street. Walkways should be designed to connect dwelling units with each other and connect each dwelling unit with common open space.

Each new unit will include a single-car garage, while there is additional parking accessible from each unit in adjacent parking areas. Each entrance to the units will be located to the front of the building, adjacent to the garage, and accessible from the interior streets of the development. Walkways exist throughout the development which will be readily accessible by the new units to connect pedestrians with the common open spaces.

d) Not less than 25% of the total area, less water bodies, shall be usable open space, either for recreational or some other suitable purpose, public or private.

The development presently provides adequate recreational facilities; a Tot Lot is proposed to be added, while one tennis court will be removed. The open space will continue to exceed the minimum requirement by providing 42.1% of landscaped area, in addition to the adjacent bodies of water.

Pursuant to LDR Section 4.3.4(K), Development Standards Matrix, the following table indicates that the proposal complies with LDR Section 4.3.4(K), as it pertains to the RM zoning district:

	Standard	Provided
Building Height-Maximum	35'	23'6"
Open Space-Minimum	25%	42.1%
Lot Coverage-Maximum	40%	14.2%
Floor Area-Minimum 3 Bedrooms	1,250	1,456

Section 4.4.6, Multi-Family Residential, Medium Density

Pursuant to **LDR Section 4.4.6(H)(1)**, **Special Regulations**, a minimum density of six units per acre is established for duplex and multiple family housing projects within this district. Density may exceed the base of six (6) units per acre only after the approving body makes a finding that the project has substantially complied with performance standards as listed in 4.4.6(I). In no event shall a development's total density exceed 12 units per acre.

The existing development has a density of 9.36 units per acre; the proposal will increase that density to 10.83 acres per unit. The development, which presently exceeds 6 units per acre, meets the performance standards. The proposed improvements require further review of the standards to ensure compliance is maintained or improved and is provided under the performance standards section of this report.

Pursuant to **LDR Section 4.4.6(H)(3)**, **Special Regulations**, recreational areas shall be required for all new rental apartment developments, and of owner occupied developments which have homeowner associations that must care for retention areas, private streets, or common areas. New developments must include recreational features that are designed to accommodate

activities for children and youth of all age ranges. Tot lots are appropriate for toddlers; features such as a basketball court, volleyball court, and open playfields are appropriate for older children. A pool and clubhouse, unless specifically designed for children, is not considered to meet this requirement. Projects having fewer than twenty-five (25) units may be exempted from this standard where it is determined by the approving body that it is not practical or feasible to comply.

The proposal, which includes the provision of a new Tot Lot towards the western portion of the development, includes the removal of a Tennis Court. However, a second Tennis Court, adjacent to the Clubhouse, will be maintained, along with other existing recreational amenities such as the swimming pool and exercise facility. The inclusion of the Tot Lot will accommodate a wider range amenities for residents and their guests.

Pursuant to LDR Section 4.4.6(I)(1), Performance Standards, these standards shall apply to all site plans approved subsequent to October 7, 1997, and for modifications to existing developments which involve the creation of additional residential units.

In order to increase a project density beyond six (6) units per acre, the approving body must make a finding that the development substantially complies with the performance standards listed in this section. 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 exists 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.

The existing traffic circulation pattern within Bahia Delray has already utilized some measures which contribute to traffic calming such as the curved interior streets. The layout of the development provides "side streets" off of Crystal Way where the residents park for the existing units; the new units will not impact the existing system as there are garages provided within the buildings for each unit, with additional parking provided adjacent to the buildings. The additional units have not been identified as requiring additional traffic calming measures. Thus, the proposed development complies with this performance standard.

b) Buildings are placed along the development in a manner that reduces the overall massing, and provides a feeling of open space.

The proposed placement of the 8 new, two-story buildings comprising the 37 additional units provides adequate separation and spacing between them and the existing two-story buildings to limit any massing effects. A feeling of open space is retained as 42.1% will remain in landscaped open space with the existing lake tracts accounting for additional open space areas. All these features will help to lessen the potential perception of massing of the development and retains valuable open space. Thus, the proposed development complies with this performance standard.

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. Buildings setbacks are increased by at least 25% of the required minimum; at least one tree over 30 linear feet (or fraction thereof) is provided; tree exceed the required height at time of planting by 25% or more; and a hedge, wall or fence is provided as a visual buffer between the properties.

The following zoning designations and land uses abut the subject property:

	Zoning Designations	Land Uses
North	Special Activities District (SAD)	Multi-Family & Commercial
South	Single Family Residential (R-1-AA) Medium	Lake Delray Apartments, Bass Creek
	Density Residential (RM)	Subdivision, Tropic Palms Subdivision
East	Medium Density Residential (RM)	Lavers Subdivision, Delray
Lasi	Community Facilities (CF)	Racquet Club
West	Open Space (OS)	Vacant & Interstate 95 right-of-way

Audubon Boulevard serves as a physical division between the medium density residential area that Bahia Delray is a part of and the lower density single family residential areas to the south. Therefore, the additional setbacks are not required; however, the landscaping provided on site, both existing and proposed, will assist in providing additional buffering between the single-family neighborhood to the south located on the other side of Audubon Boulevard. Thus, the proposed development complies with this performance standard.

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.

The current development consists of 1 and 2 bedroom units within the existing two-story buildings. The proposed 8 buildings include variations within the front wall planes as the wall planes are offset at every two units; the exterior finishes incorporate a combination of lightly-textured stucco accented by cementitious siding on the front elevations. The main roof is broken up with the gables above each garage. All windows consist of simulated divided light windows with the inclusion of muntins; the windows are also accented by decorative louvered shutters. Thus, the proposed development complies with this performance standard.

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.

The existing development consists of one and two-bedroom units, while the proposed units will add three-bedroom units to the development. The new unit type will provide additional options for families, while offering larger living space for other residents. Thus, the proposed development complies with this performance standard.

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.

The development has existing green space and lakes in place which will be retained, while ample open space will remain throughout the development. Thus, the proposed development complies with this performance standard.

g) The project provides a convenient and extensive bicycle/pedestrian network, and access to available transit.

The development has interior sidewalks which connect to all amenities within the development and offer interconnected pedestrian walkways. Thus, the proposed development complies with this performance standard.

In conclusion, a finding of substantial compliance can be made with regard to the performance standard requirements noted above. Therefore based on the above, positive findings can be made to support the minimal proposed density increase of 1.47 units per acre.

Article 4.6, Supplemental District Regulations:

Lighting: Pursuant to **LDR Section 4.6.8(A)(1), General Requirements, Luminaries Height,** the maximum height for luminaires on buildings and structures is 25' or eave overhang, whichever is lower, and 25' for a parking lot.

Pursuant to LDR Section 4.6.8(A)(2), Cutoff Luminaire Required, all perimeter exterior lighting shall be full cutoff luminaries to minimize spillover on adjacent properties. In order to decrease urban glow, no luminaries shall be directed upwards.

The proposed lighting consists of a 20' high aluminum pole placed throughout the development area. The proposed lighting style is typical, and not decorative for the residential development, but will not detract from the development, either. The lighting will be directed downwards onto the parking areas, while the front entries will include porch lights adjacent to each entry door. Therefore, spillover and urban glow will not be an issue. The existing lighting within the development differs as it contains an acorn type fixture which directs the lighting in an upward manner.

Pursuant to LDR Section 4.6.8(A)(3), Illumination Standards, the applicable illumination standards are as follows:

		Foot Candles	
	Max Permitted	Min. Permitted	Provided
Multi-Family Residential Parking Lot	4.0	0.3	0.4-3.4

The proposed lighting levels are within the minimum and maximum foot candle ranges which will provide ample lighting for the parking areas while not impacting the adjacent residential units.

Parking: Pursuant to **LDR Section 4.6.9(C)(2)(c),** two or more bedroom dwelling units shall provide two (2) spaces per unit and one-half (0.5) a space for guest parking for the first 20 units, then 0.3 spaces per unit for units 21-50, and 0.2 spaces per unit for units 51 and above. Within

townhouse developments, driveways may be used for guest parking, provided that such parking does not result in the space for one unit impeding access to a space of the other.

The proposed 37 units require 74 spaces for the units which have been accommodated by providing single-car garages and a space behind the garage for each unit. The 66 required guest spaces are provided throughout the development, with one additional space provided, as the total parking requirement is 556 spaces, and 557 are provided. However, the total amount may be reduced by 2 parking spaces in order to maintain an existing tree in its present location, as opposed to relocating it within the site. This is further described within the Landscape Analysis portion of this report. Staff is supportive of the reduction, thereby making positive findings to the parking requirement.

Pursuant to LDR Section 4.6.9(D)(2)(a), Provisions for Ingress and Egress, access which conforms with minimal aisle standards and which includes maneuvering area so that a vehicle must be able to enter and exit the parking area onto a street or alley in a forward manner shall be provided, except when the land use is a single family detached dwelling, a townhouse (fee simple ownership), or a duplex.

The subject proposal includes the construction of new fee simple townhouses within a development consisting of fee simple units. Therefore, the proposal is exempt from this provision.

D-2.2 of the Comprehensive Plan, a bicycle parking facility should be provided in close proximity to the recreational areas of the site.

The proposal includes the provision of two bike racks adjacent to the Fitness Center, and two bike racks adjacent to the Tot Lot. Two bike racks are depicted on the site plan adjacent to the clubhouse. Ample bicycle parking facilities have been provided within the development, thereby meeting the subject requirement.

LANDSCAPE ANALYSIS

The proposed additional landscaping for the 37 new units will consist of a combination of trees/palms, accents/shrubs/groundcovers, and sodding. The existing trees which will be impacted by the proposed improvements include 5 trees to be removed (Laurel Oak and Mahogany) and 3 to be relocated (Live Oak) within the development. The City's Senior Landscape Planner has reviewed the proposed improvements and deemed them to be compliant with LDR Section 4.6.16, Landscape Regulations. The review also required application of LDR Section 4.6.19, Tree Ordinance, as provided below.

Pursuant to LDR Section 4.6.19(D)(3)(a), Substitution of Mature, Exceptional Specimen Trees/Specimen Trees for Required Parking, the City may require or the applicant may request the substitution of existing, mature, healthy, exceptional specimen/specimen trees specimens for required parking spaces in instances where the following conditions are met:

- 1. Such trees are of a hardwood and/or deciduous variety and a minimum of twenty-four inches (24") in diameter measured at four and a half feet (4 1/2') above grade.
- Such trees are free of disease and insects.

- 3. Every effort has been made in planning and design of parking areas to accommodate such trees in the landscape islands as required by the Land Development Regulations.
- 4. Such trees are protected during construction as prescribed in the Land Development Regulations.

Pursuant to LDR Section 4.6.19(D)(3)(a), Substitution of Mature, Exceptional Specimen Trees/Specimen Trees for Required Parking, the applicant shall indicate on the site plan the location of all required parking spaces and indicate those spaces that will be eliminated in order to preserve trees. The amount of parking spaces permitted to be eliminated for any project shall be determined on a case by case basis.

A Live Oak (Tree #194) has been identified as a candidate to remain in location, as opposed to being relocated. The tree is located to the west of Building #3. For the tree to remain on site, however, two parking spaces will be eliminated, as permitted by the subject LDR Section. While Staff is supportive of this substitution, Board approval is required with the condition that revised plans are provided.

The Landscape Architect's report (attached) notes that Tree #197, a 22" caliber Mahogany, may also be saved in location, as opposed to being relocated, if "we can mirror Building #3 north to south" then this tree could be preserved in place. It appears that this is possible, but will require revisions to the elevations, site, and landscape plans. Staff is supportive of this revision, and recommends that it be included as a condition of approval.

ARCHITECTURAL ELEVATIONS

Pursuant to **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 elevations consist of a lightly textured stucco with cementitious siding on the inset portion of the front elevation. The roof and entry overhangs at both the front and rear are finished with a beige "S" tile. The color scheme is a beige siding and puddy stucco with brown trim, accents, and shutters, light blue doors. The windows have white frames and muntins.

In general the proposal is in good taste and design, although it is simpler than the more decorative buildings that exist within the development. This differentiation may be determined to illustrate the different building and unit type, as also exemplified by the garage components within the new buildings. However, additional details and a revised color scheme, inclusive of the roof tile, should be provided to unify the new buildings with the existing buildings and/or the existing building painted to be consistent with the new buildings. The existing buildings are each painted differently in a pastel color, and are finished with a white flat, cement tile roof.

The proposed elevations can be supported with positive findings subject to the revision of the color scheme to appropriately compliment or match the existing buildings, including the roof tile color. This recommended revision will assist in providing harmony with the existing development while not causing depreciation to the development.

REQUIRED FINDINGS

Pursuant to LDR Section 2.4.5(G)(1)(d), Class IV Site Plan Modification, a modification to a site plan which represents either a significant change in the intensity of use or significant changes which affect the spatial relationship among improvements on the land, requiring full review of Performance Standards found in Section 3.1.1.

Pursuant to **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. These findings relate to the following areas:

Section 3.1.1 (A), Future Land Use Map: The subject property has a Future Land Use Map designation of MD (Medium Density Residential), and is zoned RM (Medium Density Residential). Pursuant to LDR Section 4.4.6(B)(3), within the RM zoning district, multiple family structures up to 12 units per acre are allowed as a permitted use, subject to compliance with the performance standards of LDR Section 4.4.6(I). Since compliance with the Performance Standards has been provided, the proposed density increase to 10.83 units per acre is permitted and appropriate.

Section 3.1.1 (B), Concurrency: As described in Appendix A, a positive finding of concurrency can be made as it relates to water, streets and traffic, sewer, drainage, parks and recreation, open space, and solid waste.

Section 3.1.1 (C), Consistency (Standards for Site Plan Actions): As described in Appendix B, a positive finding of consistency can be made as it relates to Standards for Site Plan Actions.

Section 3.1.1 (D), Compliance with the Land Development Regulations: As described under the Site Plan Analysis Section of this report, a positive finding of compliance with the Land Development Regulations can be made, subject to compliance with the recommended conditions of approval.

Section 2.4.5 (F)(5), Compatibility (Site Plan Findings): The approving body must make a finding that development of the property pursuant to the site plan 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.

Compatibility is not a concern, as similar uses exist on the surrounding properties. This multiple family development will be compatible and harmonious with the adjacent and nearby properties and should enhance property values in the area.

Comprehensive Plan Policies: A review of the objectives and policies of the adopted Comprehensive Plan was conducted and the following applicable policies and objectives are noted:

Future Land Use Element Objective A-1: Property shall be developed or redeveloped in a manner so that the future use and intensity is appropriate and complies in terms of soil, topographic, and other applicable physical considerations, is complimentary to adjacent land uses, and fulfills remaining land use needs.

The property is currently occupied by 236 two-story units; the new in-fill development will provide 37 two-story townhouse type units. Such redevelopment will still be within the maximum allowable density of the RM Zoning District and will upgrade the quality of the development by providing new recreational amenities (Tot Lot) that would be appealable to families. There are no special physical or environmental characteristics of the land that would be negatively impacted by the proposed multiple-family townhouse development. The Housing Element of the Comprehensive Plan calls for the provision of infill housing as well as the development of property to provide a variety of housing types. This development proposal fulfills these needs. The property is adjacent to a residential zoning district with a lower density located along the south property line. Consequently, the development proposal has increased the required side interior setback and enhanced the landscaping along the property line to the south.

Housing Element Policy A-12.3: In evaluating proposals for new development or redevelopment, the City shall consider the effect that the proposal will have on the stability of nearby neighborhoods. Factors such as noise, odors, dust, traffic volumes and circulation patterns shall be reviewed in terms of their potential to negatively impact the safety, habitability and stability of residential areas. If it is determined that a proposed development will result in a degradation of any neighborhood, the project shall be modified accordingly or denied.

The adjacent development to the south is zoned R1-AA (Single Family Residential) and consists of the Tropic Palms and Bass Creek Subdivisions. To the north is the Waterford Place SAD (Special Activities District) which consists of multi-family residential uses and a commercial portion. The adjacent development to the east consists of medium density residential and Community Facilities. Finally, to the west is a vacant parcel zoned Open Space and Interstate 95.

The proposed development will not negatively impact the stability of the adjacent residential areas. Due to the minor increase (37 additional townhouse units), within an already developed site, staff does not anticipate any issues with street and traffic concurrency on surrounding rights of way. With the provision of three-bedroom units and additional housing opportunities for families, it is not anticipated there will be any degradation of the existing or surrounding neighborhoods.

Open Space and Recreation Element Policy A-3.1: Tot lots and recreation areas serving children from toddlers to teens, shall be a feature of all new housing developments as part of the design to accommodate households having a range of ages. This requirement may be waived or modified for residential developments located in the downtown area, and for infill projects having fewer than 25 units.

Existing recreation areas including a pool/clubhouse, exercise facility, and tennis court provide a variety of recreation for all residents and guests. The proposed Tot Lot will create additional recreational area for the residents.

Housing Element Objective B-2: Redevelopment and the development of new land shall result in the provision of a variety of housing types which shall continue to accommodate the diverse makeup of the City's demographic profile, and meet the housing needs identified in this Element. Policies, which will implement this objective, include:

Housing Element Policy B-2.2: The development of new adult oriented communities within the City is discouraged. New housing developments shall be designed to accommodate households having a range of ages, especially families with children, and shall be required to provide 3 and 4 bedroom units and activity areas for children ranging from toddlers to teens. This requirement may be waived or modified for residential development located in the downtown area, and for infill projects having fewer than 25 units.

The 37 new 3 bedroom units will add to the housing diversity of the existing 1 and 2 bedroom units and provide an opportunity for more families to locate to Bahia Delray as they are designed to accommodate families with children. The subject Objective and Policy is accomplished by these new units along with the addition of a Tot Lot for the accompanying children anticipated with these units. Consequently, the proposed development is consistent with this housing policy.

NOTICES

Courtesy notices have been sent to the following homeowner's and/or civic associations:

- Delray Citizens Coalition
- Delray Racquet Club HOA
- Lake Delray Apartments
- Tropic Palms
- Tierra Verde of Delray
- Bahia Delray

Letters of objection or support, if any, will be presented at the SPRAB meeting.

ASSESSMENT AND CONCLUSION

The proposed townhouse units will provide the option of three-bedroom units in the existing development where the existing options consist of one and two-bedroom units. The variety is key to bringing families to the development. The new 37 units will not have a negative impact on the neighborhood, as the addition is minimal in terms of density, which is permitted to increase up to 12 units per acre. The proposal complies with all of the performance standards required of development exceeding 6 units per acre. Additionally, the proposal complies with the requirements of the LDRs with the minor exception of the elevations, which can be remedied by providing unification through the revised color scheme. Therefore, positive findings can be made to support the proposed site plan modification and associated site improvements, subject to the recommended conditions of approval.

ALTERNATIVE ACTIONS

- A. Continue with direction.
- B. Move approval of the Class IV Site Plan Modification, Landscape Plan, and Architectural Elevations for **Bahia Delray**, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in LDR Section 2.4.5(F)(5), Chapter 3, Section 4.6.16, and 4.6.18(E).

C. Move of the Class IV Site Plan Modification, Landscape Plan and Architectural Elevations for **Bahia Delray**, by adopting the findings of fact and law contained in the staff report, and finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in LDR Section 2.4.5(F)(5), Chapter 3, Section 4.6.16, and 4.6.18(E).

STAFF RECOMMENDATION

By Separate Motions:

Site Plan

Move approval of the Class IV Site Plan Modification for **Bahia Delray**, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.5(F)(5) and Chapter 3 of the Land Development Regulations, subject to the condition that all plans are revised to illustrate preservation of Tree #194 and Tree #197, and removal of the associated/proposed parking spaces.

Landscape Plan

Move approval of the Landscape Plan for **Bahia Delray**, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in Section 4.6.16 of the Land Development Regulations, subject to the condition that the plan be revised in accordance with the site plan revisions associated with the preservation of Tree #194 and Tree #197.

Architectural Elevations

Move approval of the Architectural Elevations for **Bahia Delray**, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in LDR Section 4.6.18(E), subject to the following conditions:

- 1. That revised elevations for Building #3 be provided which mirror the presently proposed elevations, in order to preserve Tree #197; and,
- 2. That the color scheme be revised to be consist with the existing development, including the roof tile color.

Report Prepared by: Amy E. Alvarez, AICP, Senior Planner

APPENDIX A CONCURRENCY FINDINGS

Pursuant to **LDR Section 3.1.1(B)** Concurrency as defined pursuant to Objective B-2 of the Land Use Element of the Comprehensive Plan must be met and a determination made that the public facility needs of the requested land use and/or development application will not exceed the ability of the City to fund and provide, or to require the provision of, needed capital improvements for the following areas:

<u>Water and Sewer</u>: Water service can be provided to the site through an existing 8" water main within the Waterford Village Subdivision which is located along Crystal Way and from a 10" water line along Lindell Boulevard. There are also several existing 6" sewer lines all throughout the subdivision which can service the new residential units. The Comprehensive Plan states that adequate water and sewer treatment capacity exists to meet the adopted level of service standard at the City's build-out population based on the current FLUM.

<u>Streets and Traffic</u>: According to the provided traffic study, the proposed zoning designation and addition of 37 townhome units will generate 306 new net daily trips. The AM Peak trips will increase by 28, and the PM Peak trips will increase by 32. The Palm Beach County Traffic Division has determined that the proposed development is within the Coastal Residential Exception Area and therefore meets the Traffic Performance Standards of Palm Beach County. The approval is subject to site plan approval by August 12, 2016.

<u>Parks and Recreation Facilities:</u> Pursuant to Land Development Regulations (LDR) Section 5.3.2, a park impact fee of \$500.00 per dwelling unit will be collected prior to issuance of a building permit for each unit. Based upon the proposed units, a park impact fee of \$18,500 will be required.

<u>Solid Waste:</u> The subject property now has 236 residential units and is proposed to increase to 273 with the addition of the 37 new townhome units. Based on a waste generation rate of 1.99 tons per year for apartment and townhome units, the new units will generate an additional 73.63 tons of solid waste per year which results in a property total of 543.27 tons of solid waste per year. The Solid Waste Authority has indicated that its facilities have sufficient capacity to handle all development proposals till the year 2048.

<u>Schools:</u> The Palm Beach County School District has approved the development proposal with respect to compliance with the adopted Level of Service for School Concurrency, provided that a development order is received by August 9, 2016.

APPENDIX B STANDARDS FOR SITE PLAN ACTIONS

Α.	Building design,	landscaping,	and lightir	ıg (glare)	shall be	such	that	they c	lo not	create
	unwarranted distr	actions or blo	ckage of vis	ibility as	it pertains	to tra	ffic ci	irculatio	on.	

Not applicable		
Meets intent of standard	X	X
Does not meet intent	•	•

B. Separation of different forms of transportation shall be encouraged. This includes pedestrians, bicyclists, and vehicles in a manner consistent with policies found under Objectives D-1 and D-2 of the Transportation Element.

C. Open space enhancements as described in Policies found under Objective B-1 of the Open Space and Recreation Element are appropriately addressed.

Not applicable	
Meets intent of standard	Х
Does not meet intent	

D. The City shall evaluate the effect that any street widening or traffic circulation modification may have upon an existing neighborhood. If it is determined that the widening or modification will be detrimental and result in a degradation of the neighborhood, the project shall not be permitted.

Not applicable	X		_
Meets intent of stan	dard		
Does not meet inter	nt		

E. Development of vacant land which is zoned for residential purposes shall be planned in a manner which is consistent with adjacent development regardless of zoning designations.

Not applicable	Χ		_							
Meets intent of stand	dard									
Does not meet intent	t									

F. Vacant property shall be developed in a manner so that the future use and intensity are appropriate in terms of soil, topographic, and other applicable physical considerations; complementary to adjacent land uses; and fulfills remaining land use needs.

Not applicable	X	ot applicable X	
Meets intent of stan	andard	eets intent of standard	
Does not meet inter	tent	es not meet intent	

G. Redevelopment and the development of new land shall result in the provision of a variety of housing types which shall continue to accommodate the diverse makeup of the City's demographic profile, and meet the housing needs identified in the Housing Element. This shall be accomplished through the implementation of policies under Objective B-2 of the Housing Element.

Not applicable			
Meets intent of star	dard	X	
Does not meet inte	nt		

H. The City shall consider the effect that the proposal will have on the stability of nearby neighborhoods. Factors such as noise, odors, dust, traffic volumes and circulation patterns shall be reviewed in terms of their potential to negatively impact the safety, habitability and stability of residential areas. If it is determined that a proposed development will result in a degradation of any neighborhood, the project shall be modified accordingly or denied.

Not applicable	
Meets intent of standard	X
Does not meet intent	

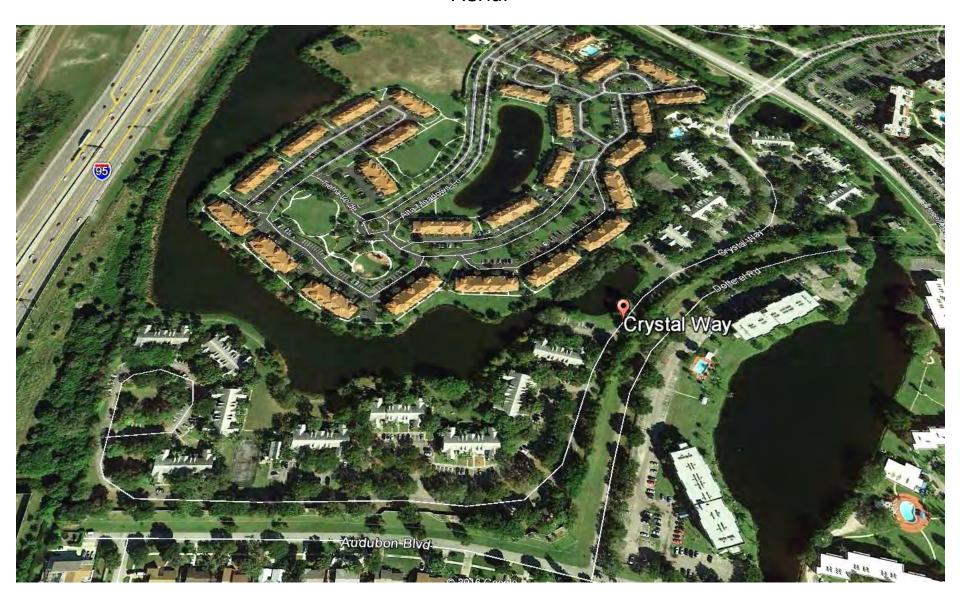
I. Development shall not be approved if traffic associated with such development would create a new high accident location, or exacerbate an existing situation causing it to become a high accident location, without such development taking actions to remedy the accident situation.

Not applicable	able	applicable	
Meets intent of standar	nt of standard	ets intent of standard	Х
Does not meet intent	neet intent	s not meet intent	

J. Tot lots and recreational areas, serving children from toddler to teens, shall be a feature of all new housing developments as part of the design to accommodate households having a range of ages. This requirement may be waived or modified for residential developments located in the downtown area, and for infill projects having fewer than 25 units.

Not applicable		
Meets intent of stand	lard	Х
Does not meet intent	t	

Bahia Delray Aerial



Bahia Delray Existing Elevations



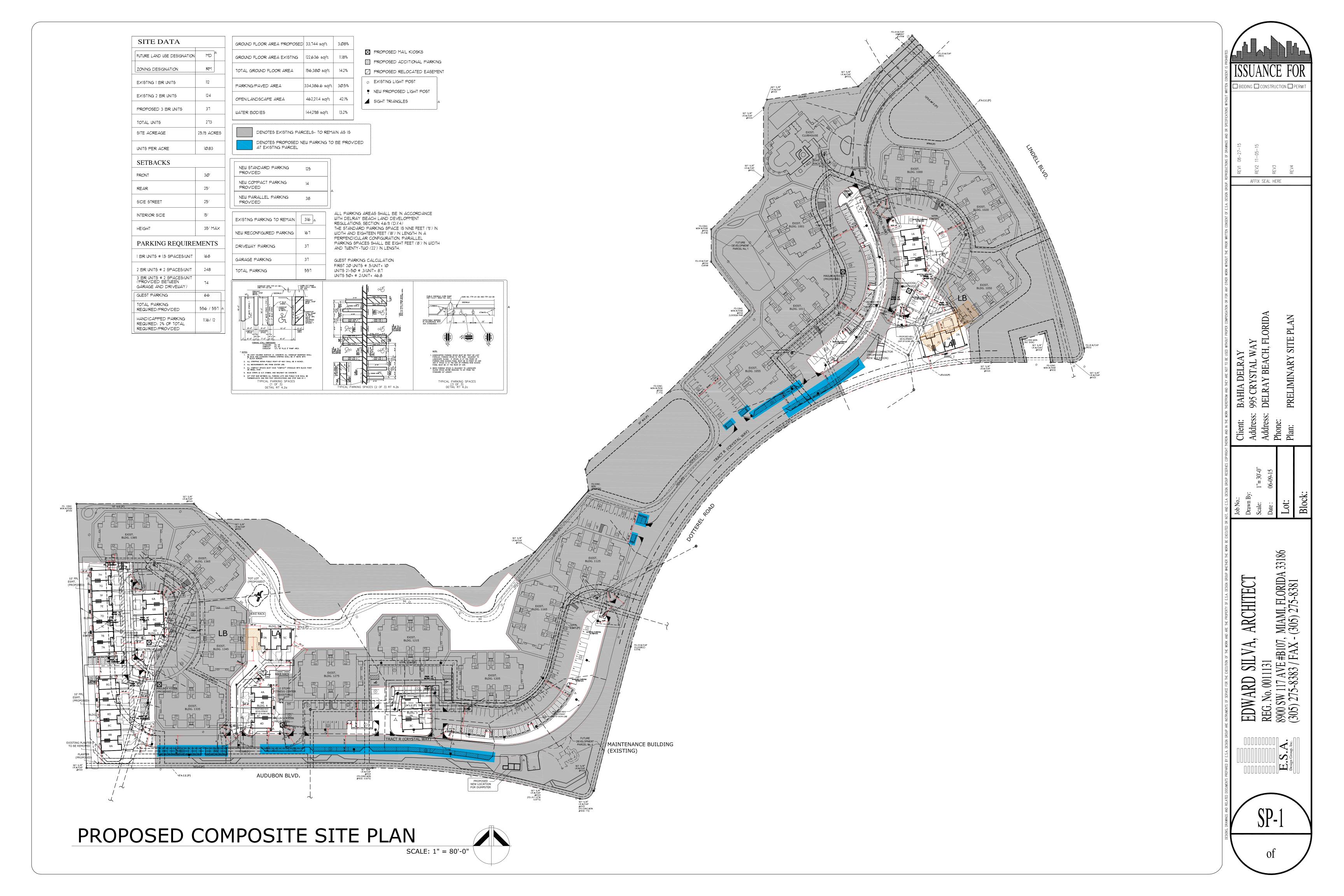
Bahia Delray Adjacent Multi-Family Developments



North-Tierra Verde



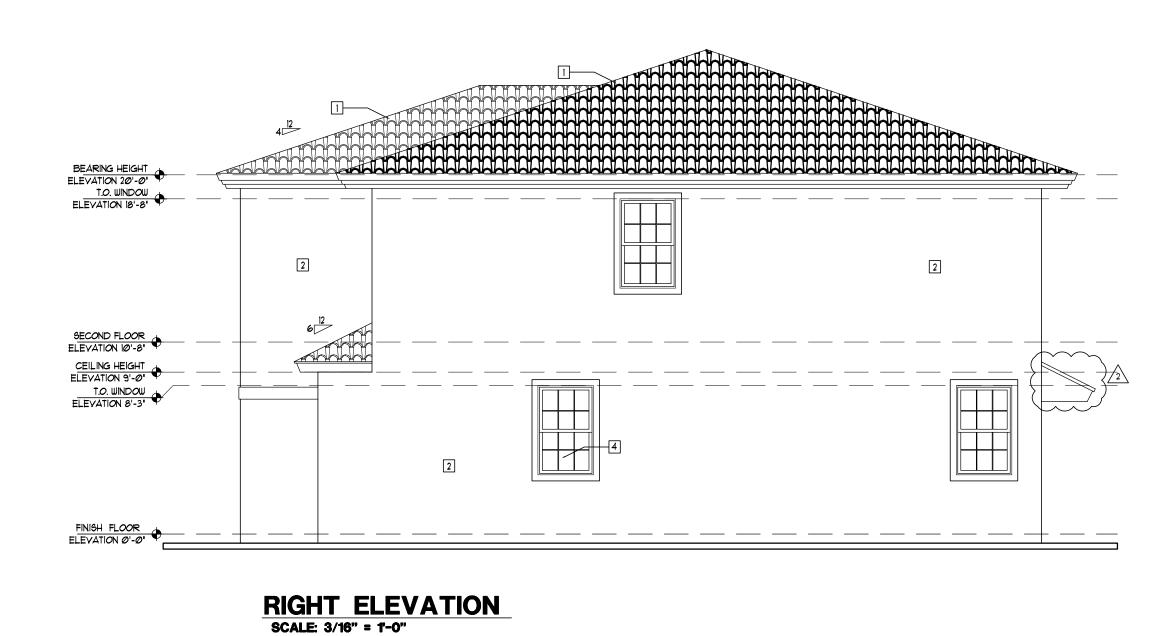
South-Lake Delray Apartments

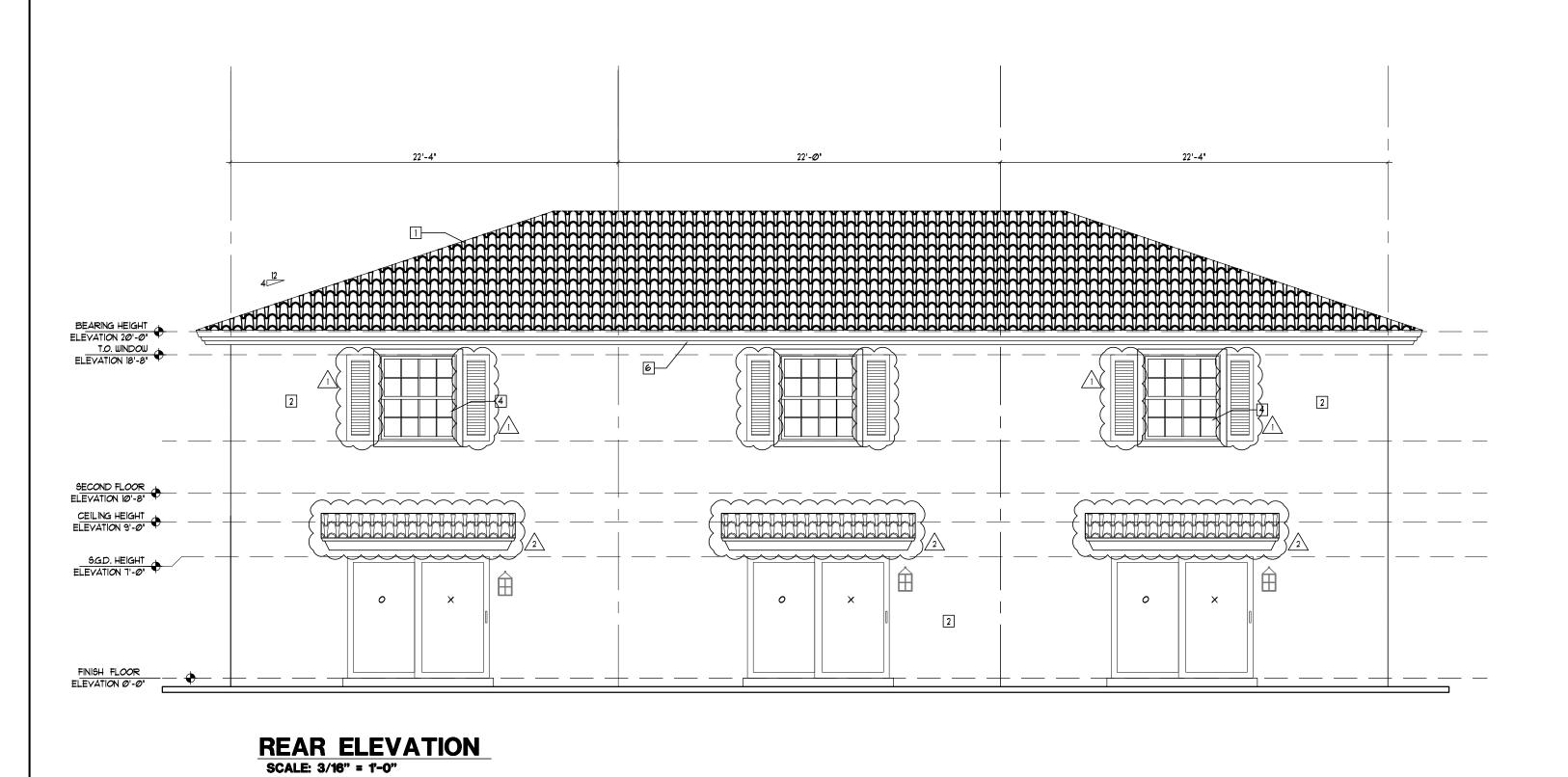


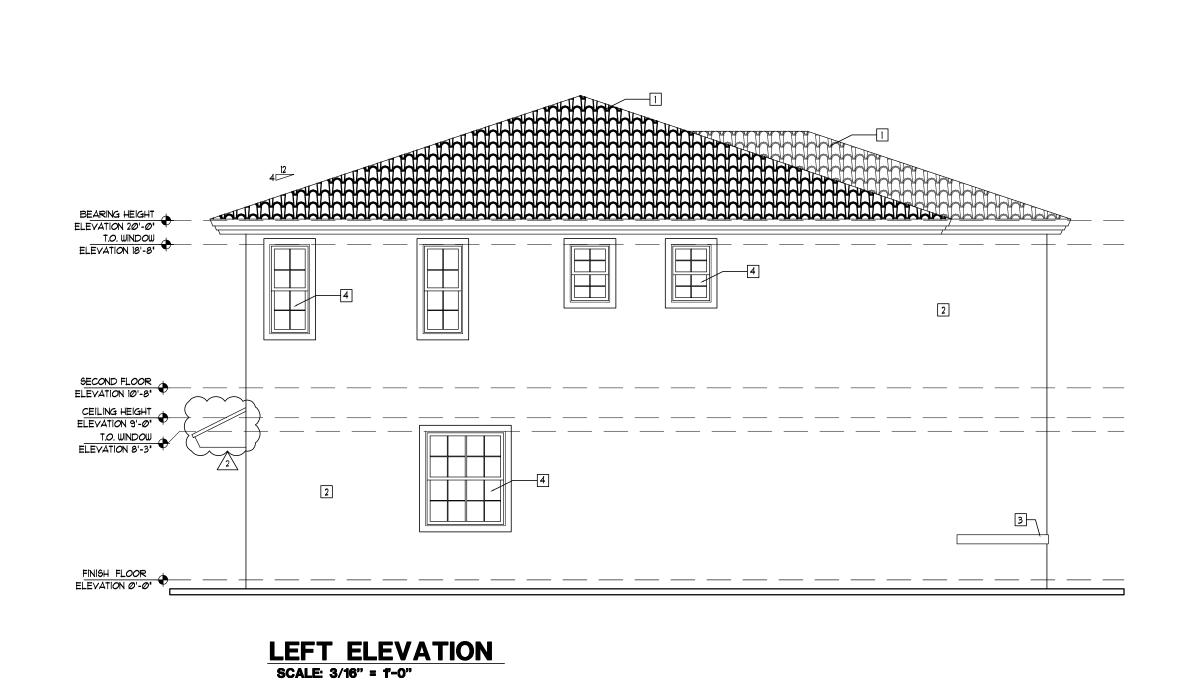


KEY NOTES

2 PAINTED LIGHT TEXTURED \$ THICK TWO COAT STUCCO







☐ BIDDING ☐ CONSTRUCTION ☐ PERMI AFFIX SEAL HERE BAHIA DELRAY 995 CRYSTAL WAY DELRAY BEACH, FLORIDA ARCHITECT EDWARD SILVA, A REG. No. 0011131 8900 SW 117 AVE #B107, N (305) 275-8383 / FAX - (305)



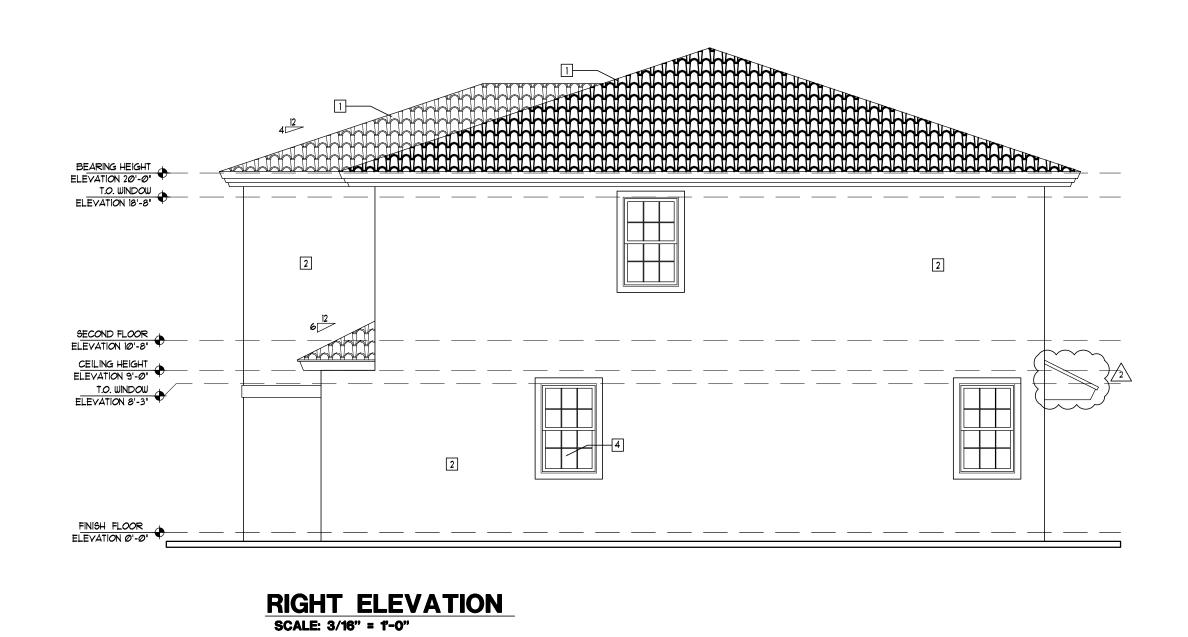


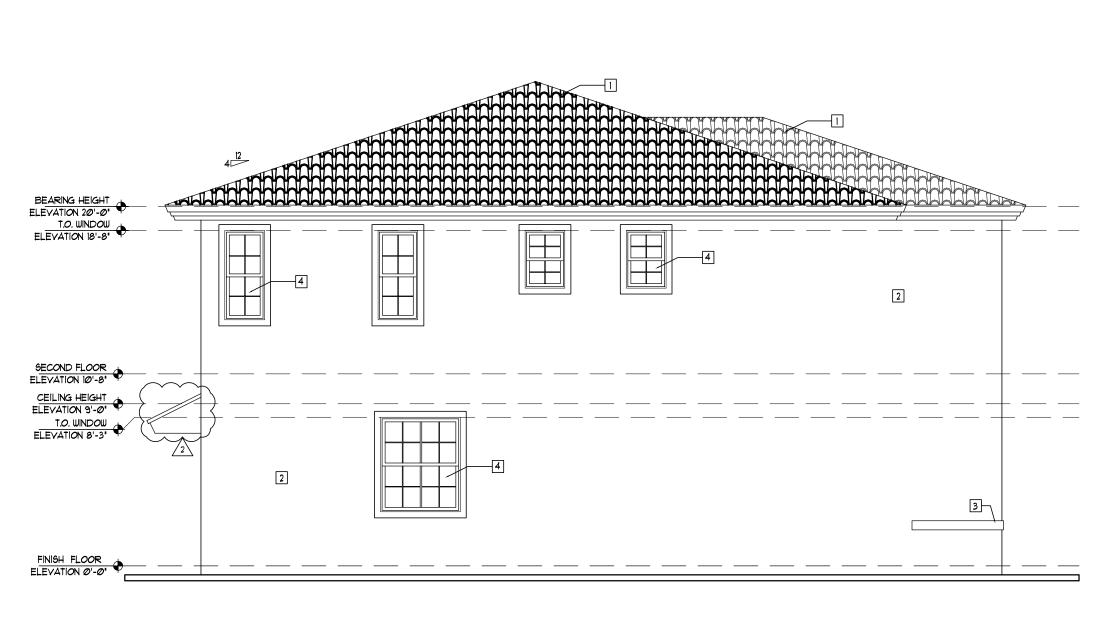
KEY NOTES

ROOF TILE

2 PAINTED LIGHT TEXTURED & THICK TWO COAT STUCCO

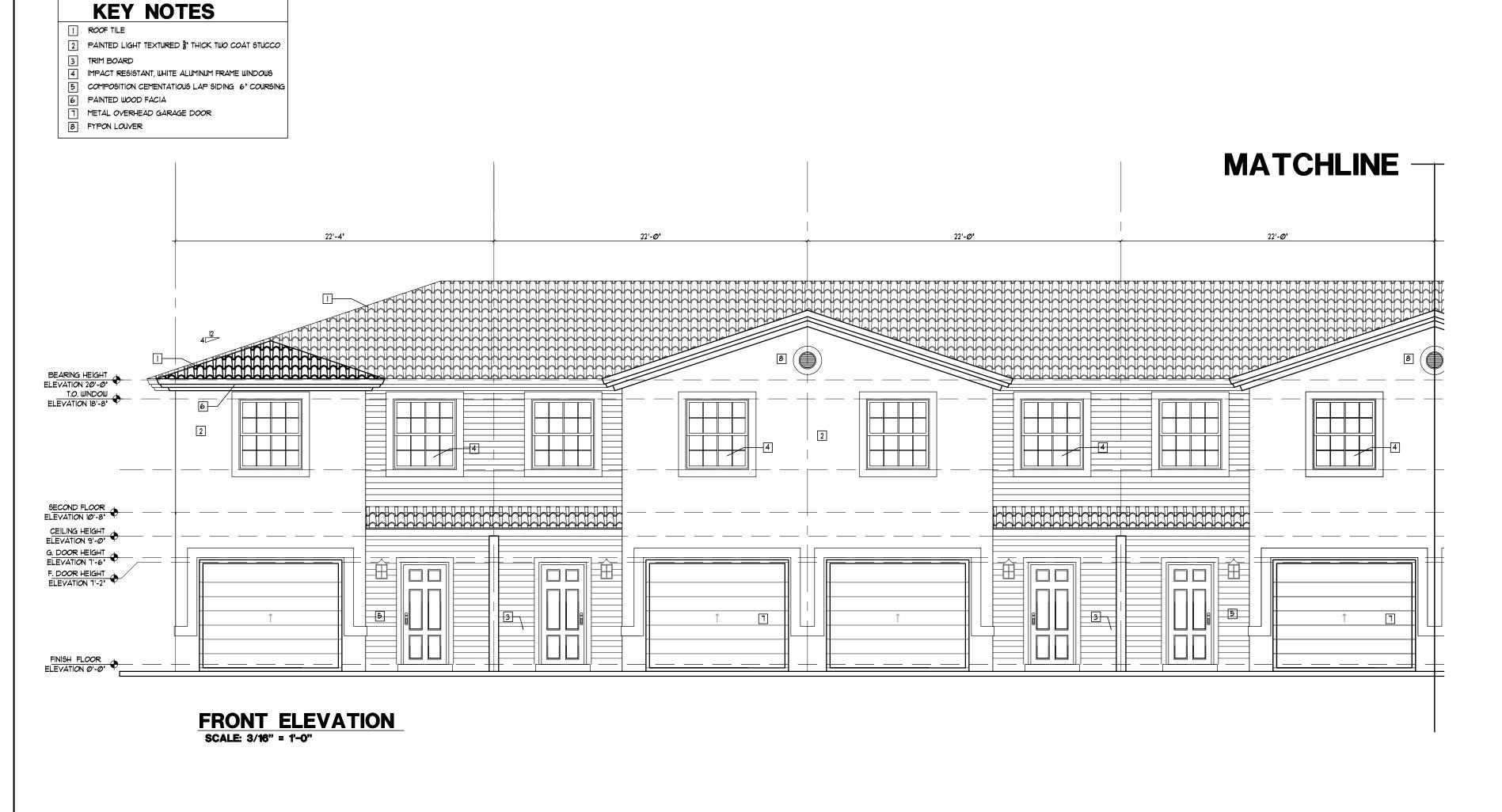
- 3 TRIM BOARD
- MPACT RESISTANT, WHITE ALUMINUM FRAME WINDOWS
- COMPOSITION CEMENTATIOUS LAP SIDING 6" COURSING
- PAINTED WOOD FACIA
- METAL OVERHEAD GARAGE DOOR
- 8 FYPON LOUVER

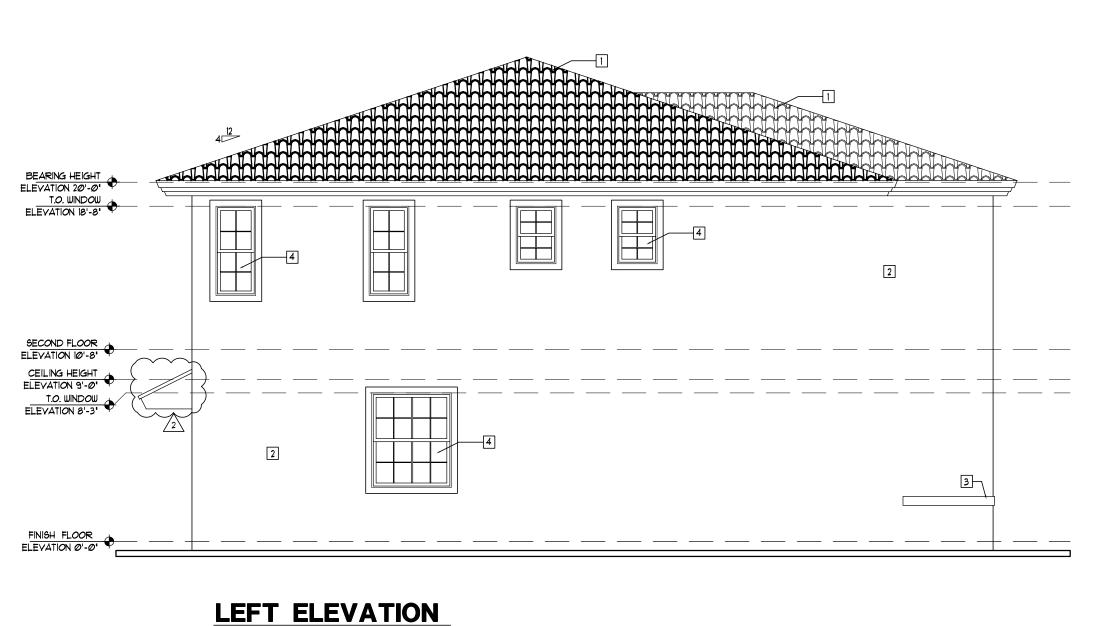


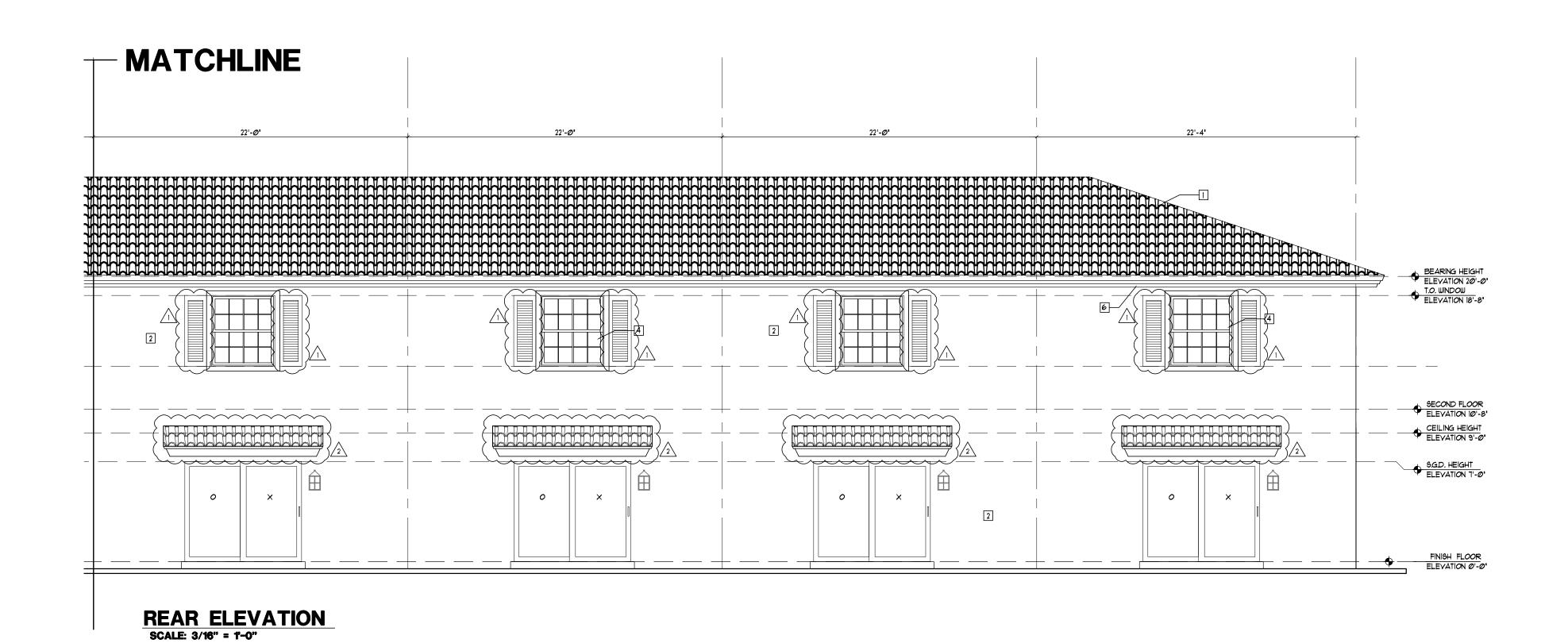


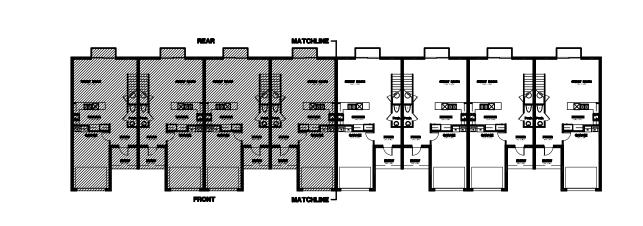
LEFT ELEVATION
SCALE: 3/16" = 1'-0"

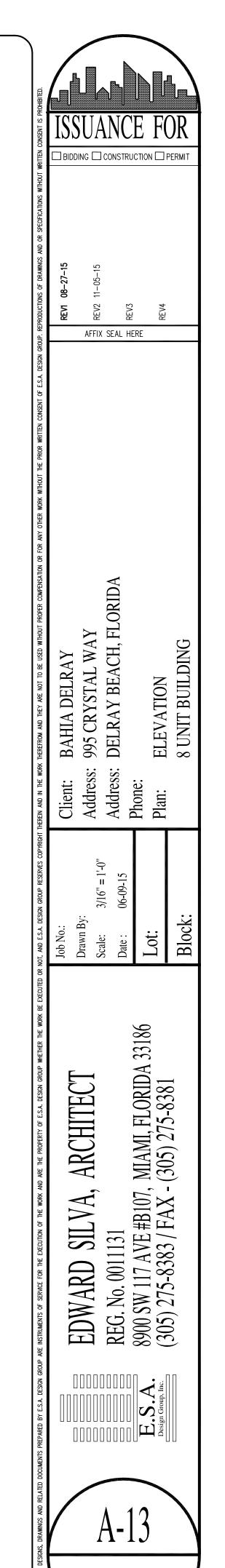
 \square bidding \square construction \square permit AFFIX SEAL HERE EDWARD SILVA, ARCHITECT REG. No. 0011131 8900 SW 117 AVE #B107, MIAMI, FLORIDA 33 (305) 275-8383 / FAX - (305) 275-8381 ARCHITECT

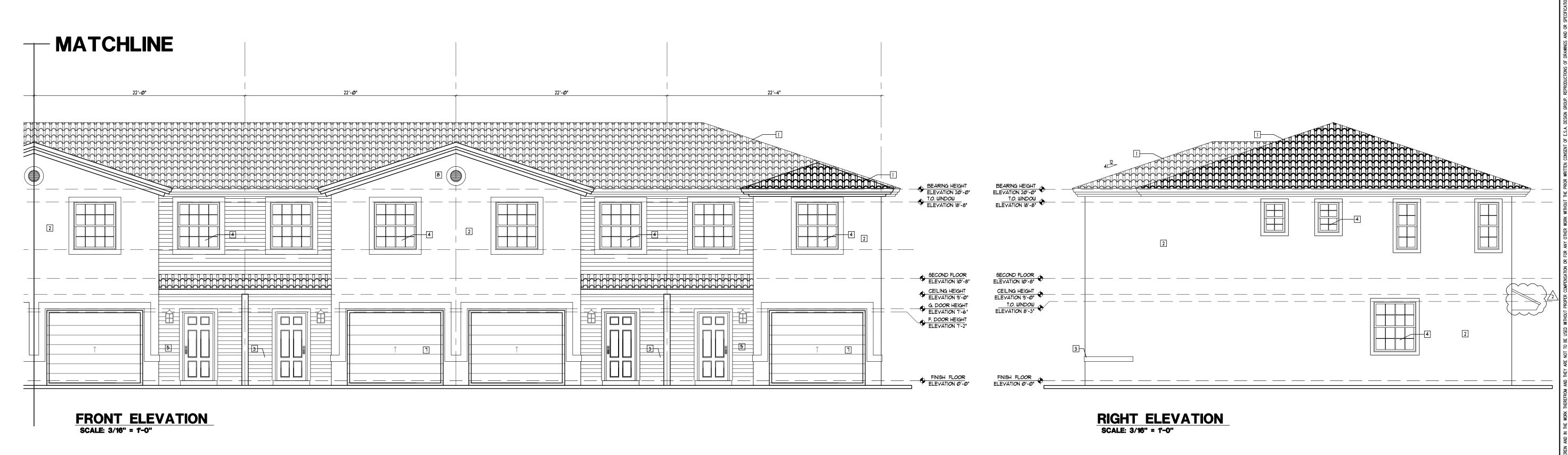


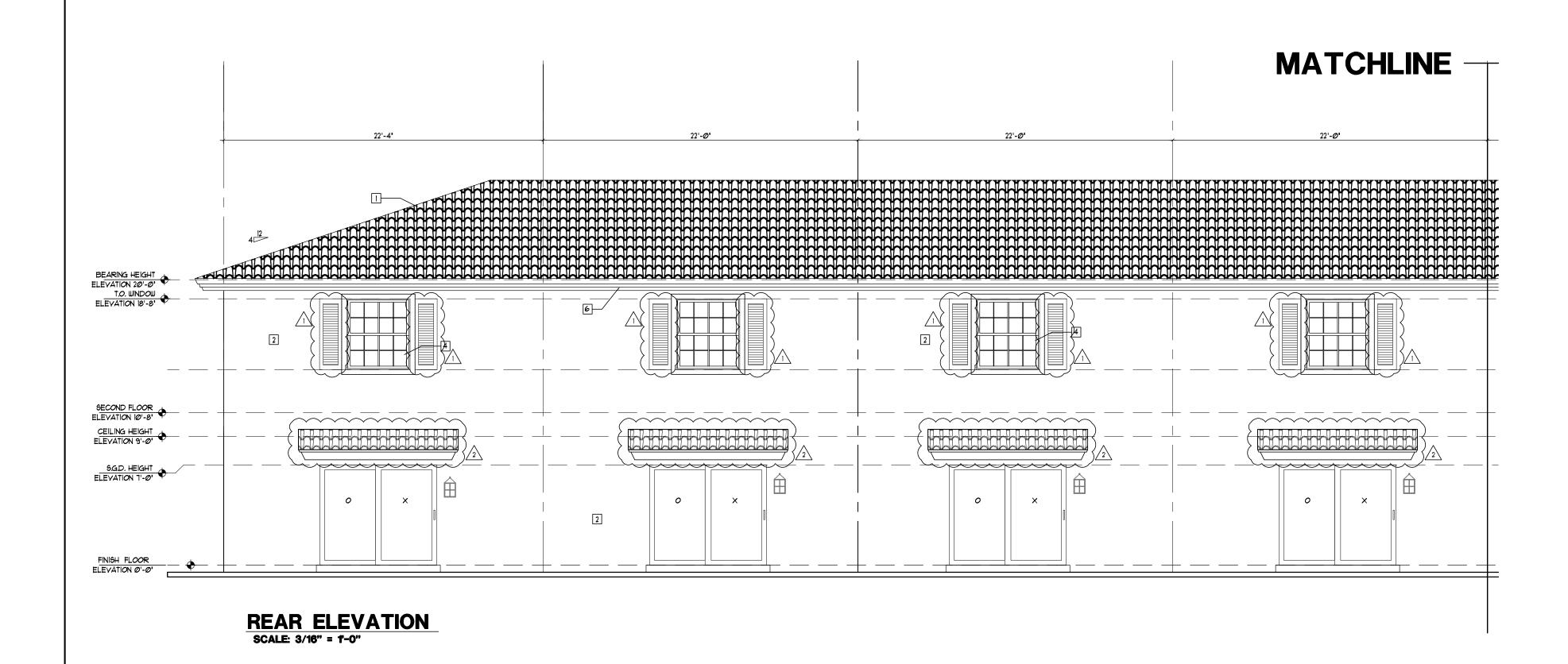












KEY NOTES

TRIM BOARD

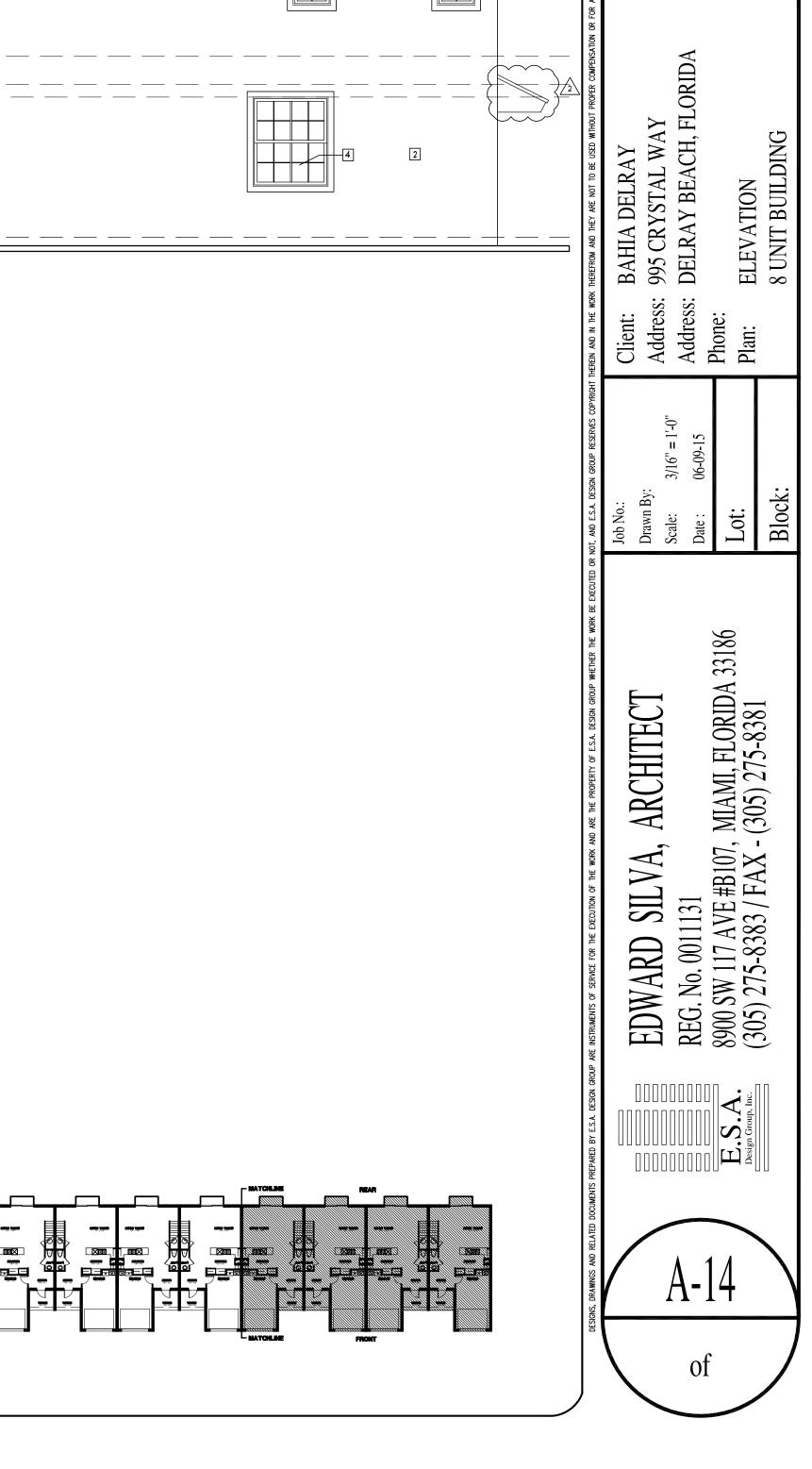
8 FYPON LOUVER

6 PAINTED WOOD FACIA

METAL OVERHEAD GARAGE DOOR

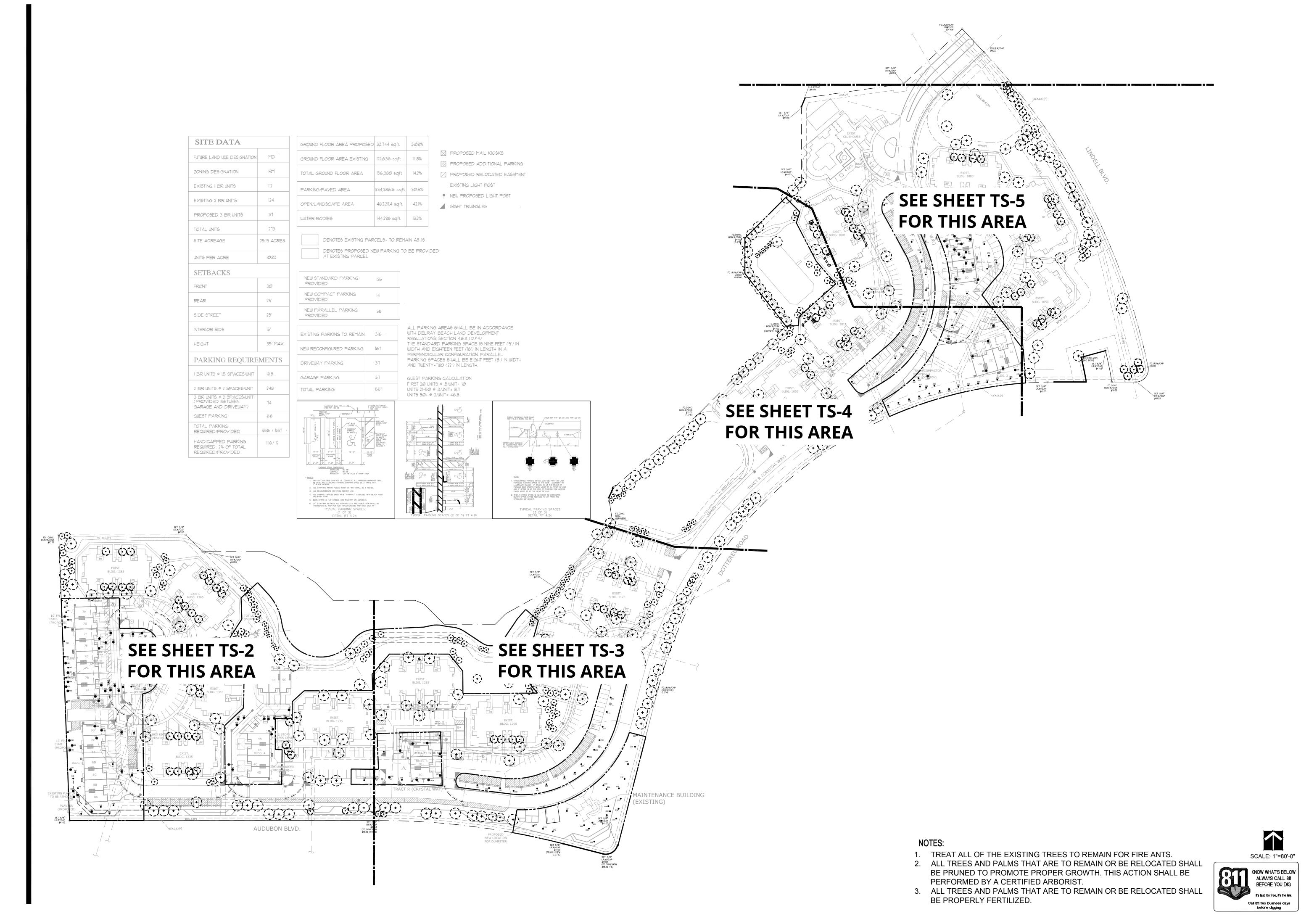
2 PAINTED LIGHT TEXTURED & THICK TWO COAT STUCCO

IMPACT RESISTANT, WHITE ALUMINUM FRAME WINDOWS
COMPOSITION CEMENTATIOUS LAP SIDING 6' COURSING



 \square bidding \square construction \square permit

AFFIX SEAL HERE



chitectural Alliance Landscape

RLA #855

City Comments
Plan Rev. per 11/5/15
City Comments

Modification

Townhomes

ahia Delray

Sheet Description
TREE

TREE DISPOSITION PLAN

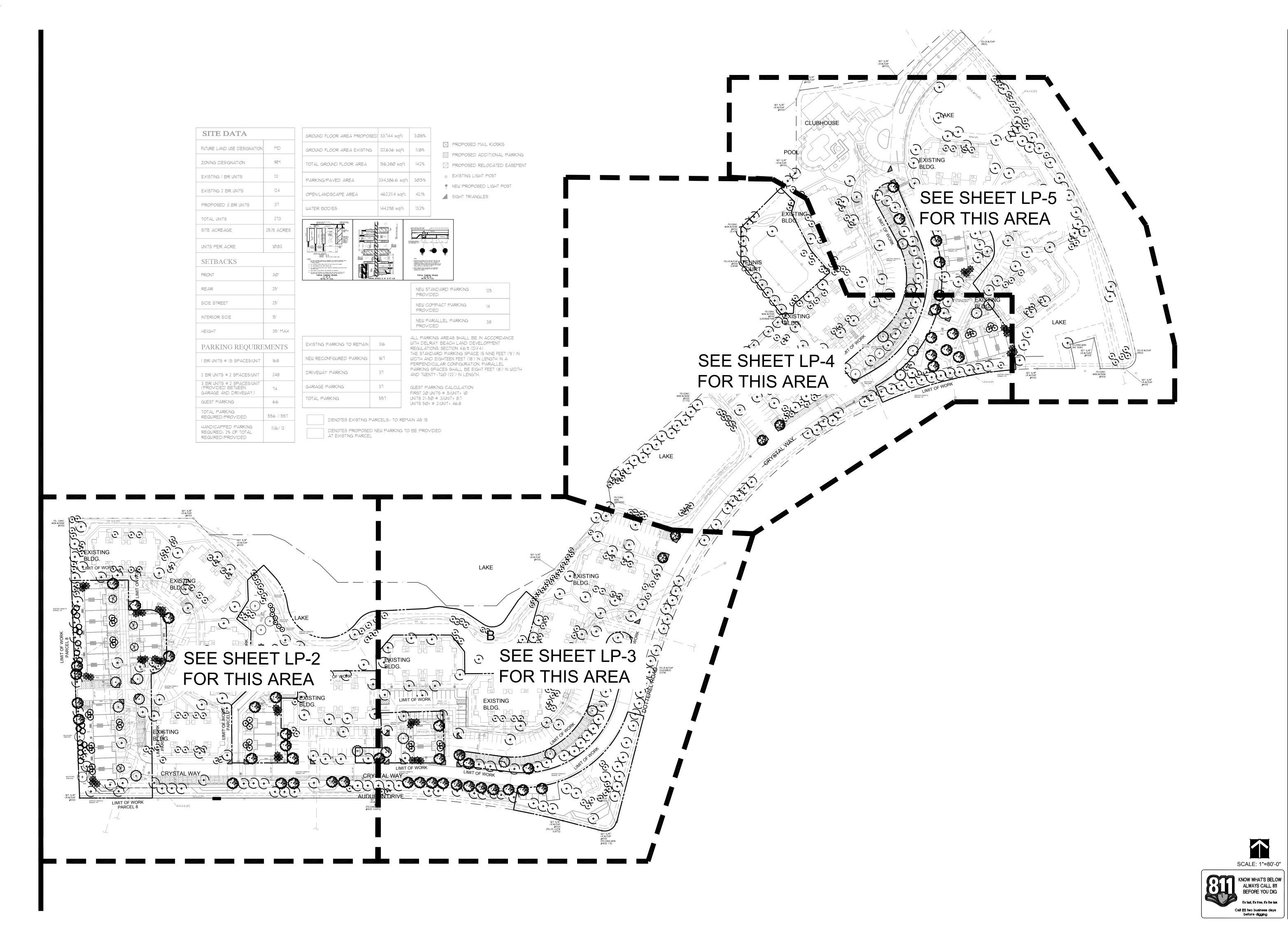
6-8-2015
Project Number

Release Date

1533

Drawing Number

TS-1





KLA #855

2 Plan Rev. per 11-5-15 City Comments

Bahia Delray Townhon

Sheet Description
TREE
DISPOSITION

DISPOSITION PLAN

Release Date

6-8-2015

Project Number

Drawing Number

