



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

SITE PLAN REVIEW AND APPEARANCE BOARD STAFF REPORT

1236 George Bush Blvd.

Meeting	File No.	Application Type
May 25, 2022	2022-014-SPF-SPR-CL5	Class V Site Plan Modification
Property Owner	Applicant	Agent
1236 George Bush Blvd LLC	1236 George Bush Blvd LLC	Thomas F Carney Jr.

Request

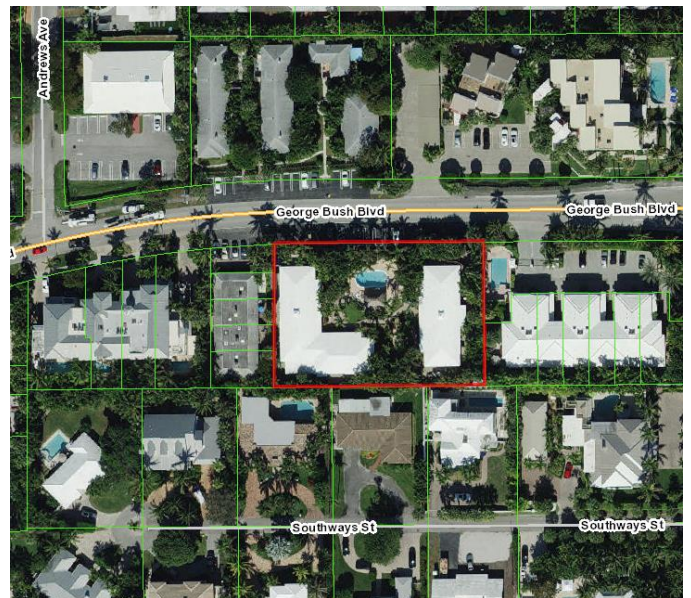
Consideration of a Class V Site Plan, Landscape Plan, and Architectural Elevations for a proposed 6-unit townhome development located at 1236 George Bush Blvd.

General Data

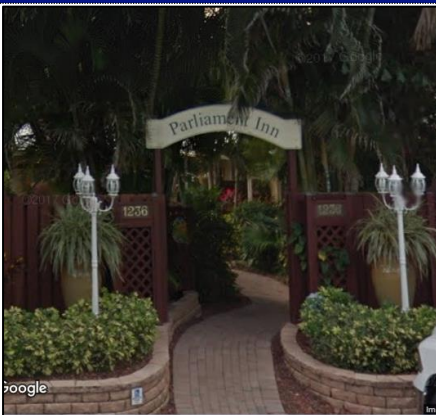
Location: 1236 George Bush Blvd.
PCN: 12-43-46-09-39-000-0281
Property Size: 0.62 Acres
Land Use Designation: Medium Density (MD)
Zoning District: Medium Density Residential (RM)
Adjacent Zoning:

- North: RM
- East: RM
- South: R-1-AAA (Single Family Residential)
- West: RM

Existing Use: Multi-family Residential (Inn)
Land Use: Medium Density Residential, 5-12 du / acre
Proposed: 6 units
Proposed Density: 10 dwelling units per acre



Background



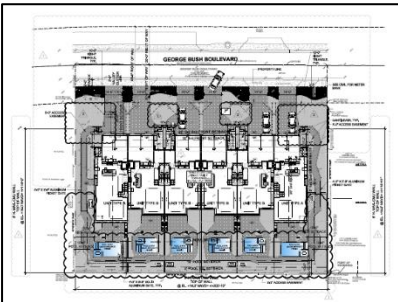
The subject property is located on the north side of George Bush Blvd just west of A-1-A, within the Coastal High Hazard Area (CHHA). The property is part of the Model Land Company Plat recorded in 1921. The property consists of two buildings constructed in 1966, a tiki hut and a pool. It operated as the Parliament Inn until its closing in 2021.

The property has had multi-family zoning designations since at least as far back as 1970 (the oldest digital zoning map in City records). The 1970 zoning map identifies the property as RM-1A, which was a Multiple Family Dwelling District. Sometime between 1970 and 1989, the zoning was changed to RM-10, Multiple Family Residential. The current Medium Density Residential (RM) zoning was adopted as part of the citywide rezoning in 1990. The property has had a residential land use since the 1961 comprehensive plan was adopted, and multi-family land use since 1979, if not before. The current MD Land Use Designation was adopted in 1990.

Description of Proposal

The proposed Class V Site Plan includes the following items:

- Demolition of existing buildings and associated accessory structures;
- Construction of six three-story townhomes with two different Unit types (Unit A and Unit B) with 3,747 square feet under-air (5,705 total square footage) and 4,467 square feet under-air (5,784 total square footage), respectively;
- Two-car garages with prefinished panel doors in Taupe Brown;
- Guest parking in each driveway to accommodate two cars;
- Space for individual pools in the rear of each property; and
- Landscaping.



Second-story terraces (1,092 square feet), are proposed and are designed to accommodate outdoor living spaces, such as spas and firepits. A living wall and landscaping are proposed and detailed on the Landscape Plan and discussed below.

The structures will be painted Pure White with accent decorative columns in Repose Gray and base wall cladding in Shell Stone. The eyebrows over the third story windows are to be Taupe Brown and glass railings are proposed. The windows and doors have gray aluminum frames.

Review and Analysis

Pursuant to **LDR Section 4.4.6(E)(2)**; new multiple family uses, and structures must be approved by the Site Plan Review and Appearance Board pursuant to the provisions of Section 2.4.5(F), 2.4.5(H), and (I), unless the property is located within a designated historic district or is individually designated. The subject property is not in an historic district. Thus, the proposed Class V Site Plan for the proposed six-unit two story townhome project is subject to approval of the Site Plan Review and Appearance Board.

LDR Section 4.4.6, Multiple Family Residential (RM) District

Pursuant to **LDR Section 4.4.6(B)(3)**, multiple family structures are an allowed use in the RM zoning district; the base density is five dwelling units per acre and the maximum density is 12 dwelling units per acre. Pursuant to LDR Section 4.4.6(H)(1) "Performance standards, "Density may exceed the base of six 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)." Compliance with LDR Section 4.4.6(I) is discussed below.

LDR Section 3.2.3 Standards for Site Plan Actions

Discussion of compliance with LDR Section 3.2.3 is provided in Appendix A.

LDR Section 4.3.4 (K), Base District Requirements

The following matrix compares the project design to the minimum and maximum development standards for the RM zoning district set forth in **LDR Section 4.3.4 (K)**.

	Required / Allowed	Provided
Lot Area (Min.)	8,000 SF	27,069 SF (0.62 acres)
Lot Width (Min.)	60 feet	200 feet
Lot Depth (Min.)	100 feet	135.29 feet
Lot Frontage (Min.)	60 feet	200 feet
Minimum Floor Area		
3-Bedroom Units (6 units)	1,250 SF	5,784 – 5,705 SF. (min.)
Maximum Lot Coverage	40%	39.8%
	Required / Allowed	Provided

Open Space (Min.)	25%	25.4%
Height (Max.)	35 feet	34 feet 8 inches
Setbacks (Min.):		
Front	25/30 feet	25/30 feet
Street Side	25 feet	N/A
Side Interior	15/30 feet	15/30 feet
Rear	25 feet	39 feet *
Density	6-12 du/ac	10 du/ac

*The site data chart on the site plan needs to be updated to reflect the proposed rear setback; this is included in the Technical Notes.

Pursuant to **LDR 4.3.4(H)(6)(a) Special building setbacks**; *Along George Bush Boulevard, between Swinton Avenue and A-1-A, a 50-foot setback shall be provided on both sides of the centerline.* This setback has been provided on the site plan.

Pursuant to **LDR Section 4.4.6 (I) Performance Standards**, *in order to increase a project density beyond six units per acre, the approving body must make a finding that the development substantially complies with the performance standards listed in this section. It is acknowledged that some of the referenced standards below 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.*

The performance standards are summarized as follows, and compliance with these standards is discussed in detail below.

LDR Section	Performance Standard	Compliance
4.4.6(I)(1)(a)	Provides interior and exterior traffic circulation/traffic calming devices	N/A
4.4.6(I)(1)(b)	Provides building placement to reduce overall mass and increase the feeling of open space	Yes
4.4.6(I)(1)(c)	Provides increased landscape buffer and setback adjacent to a residential zoning district with lower density	Yes
4.4.6(I)(1)(d)	Provides varied streetscape and building design	Yes
4.4.6(I)(1)(e)	Provides a variety of unit types, sizes, and floor plans	N/A
4.4.6(I)(1)(f)	Provides preservation or enhancement of the natural area, open space, or native habitat	N/A
4.4.6(I)(1)(g)	Provides a bike/ped network, and access to transit	N/A
4.4.6(I)(2)	Acknowledges that some of the performance standards may not be entirely applicable to small, infill type residential projects.	Yes
4.4.6(I)(3)	LUM analysis for vacant properties that are proposing a rezoning to RM with a density suffix	N/A

- LDR Section 4.4.6(I)(1)(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.*

Each of the six townhome units provides private driveways with back out parking onto George Bush Boulevard, which is classified as both a City collector and a hurricane evacuation route. The typical speed on a collector is between 35 and 55 miles per hour; the posted speed limit on George Bush Boulevard is 35 miles per hour. While back out parking is allowed for townhouse development by the LDR, it does not provide a desirable entrance onto George Bush Boulevard. The property is situated on a curve, which impacts visibility, and the proximity to the drawbridge has the potential to create a hazardous situation and contribute to the traffic congestion when the bridge is up. Despite Development Services and Engineering staff concern with the configuration, the applicant chose to design the site in such a way that cars back out onto the boulevard and do not exit or enter in a forward manner.

- LDR Section 4.4.6(I)(1)(b):** *Buildings are placed throughout the development in a manner that reduces the overall massing and provides a feeling of open space.*

This performance measure is more applicable to larger projects that have multiple buildings, as opposed to the proposed single-building, six-unit development. The units are required to provide an additional five-foot setback on the front and sides for the third floor, to reduce the overall massing of the building; the additional setback has been provided. Additionally, the open terraces provided on the second floor contribute to a visible reduction in the mass along the street view.

- LDR Section 4.4.6(I)(1)(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.*

The properties to the south of the subject property are zoned Single Family Residential (R-1-AAA), which is a lower density than this property. The minimum rear setback for RM zoned properties is 25 feet; the applicant has provided 39 feet. In addition, one tree per 30 linear feet has been provided along the rear property line, providing additional screening above the required eight-foot-high privacy wall.

- LDR Section 4.4.6(I)(1)(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 development offers a varied building design. The middle units (Unit B) are offset twelve feet. Building elevations incorporate vertical windows varying in size on each level. The design elements and features used add interest to the units by offering a variety of elements such as decorative aluminum covering, glass railings, living walls, trellis system, eyebrows, and cladding on the wall.

- LDR Section 4.4.6(I)(1)(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.*

This performance standard pertains to development projects with multiple structures and is not applicable for this project. However, each unit of the six proposed has a different size ranging from 3,747 sq. ft. to 4,467 sq.ft..

- LDR Section 4.4.6(I)(1)(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.*

This standard does not apply. The site was developed in 1966, and no natural areas exist.

- LDR Section 4.4.6(I)(1)(g):** *The project provides a convenient and extensive bicycle/pedestrian network, and access to available transit*

A new sidewalk, designed and installed by the Florida Department of Transportation (FDOT), is forthcoming on George Bush Blvd. This new infrastructure will add to the bicycle/pedestrian network of the area and enhance the walkability of the neighborhood and access to A-1-A. Additionally, FDOT is improving George Bush Blvd. by upgrading pedestrian signals, removing, and replacing concrete sidewalks and driveways and installing new sidewalks to connect for a continuous path. These improvements will also improve the bicycle/pedestrian network. The applicant's project will benefit from this infrastructure and will not impede the implementation

- LDR Section 4.4.6(I)(2):** *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.

The proposed project is considered a small infill residential development. As such, three of the seven performance standards apply to this project.

- ❑ **LDR Section 4.4.6(l)(3):** *For vacant property that is proposed for rezoning to RM with a density suffix, the approving body must make a finding that the proposed density is appropriate based upon the future land use map designations of surrounding property as well as the prevailing development pattern of the surrounding area.*

This standard is not applicable. The property is zoned RM with a LUM designation of MD; thus, the proposed townhouse development is appropriate for the surrounding area and is applicable.

LDR Section 4.3.3, Special Requirements for Specific Uses

Pursuant to **LDR Section 4.3.3(O) Townhouses and townhouse type of development**, *These special requirements apply to townhome or townhouse development and to apartment complexes which are designed in the style of a townhome, except projects located within the Central Business District and Central Business District - Railroad Corridor, which shall comply with the applicable district regulations.*

- **LDR Section 4.3.3(O)(2)** *Plat required; Each townhouse, or townhouse type, development shall be plated with a minimum designation of the interior street system as a tract. When the dwelling units are to be sold, each such unit must be shown on the plat.*

A plat will be required to be recorded at the Palm Beach County Clerk of Court prior to building permit issuance. The applicant has submitted the plat, which will be reviewed and processed after the site plan approval.

- **LDR Sections 4.3.3(O)(4)(a) through (d)**

- 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 and heavy massing. The proposed development is a single building. The appearance is broken up by variations in the location of the building entrances, the second story balconies, and roof terraces. The pedestrian entrance to the A Units is from the side through a paved path, while the entrance to the B Units are from interior corridors perpendicular to George Bush Boulevard. A twelve-foot offset is between each of the two units to help break up the front facade. The rear of the units is also staggered with the A Units closer to the property line.

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

The proposed townhomes consist of six townhomes with a total building length of 170 feet.

- 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.*

This standard applies to large townhouse developments, and it does not apply in total to the proposed development, inasmuch as a single structure is proposed and no interior streets are included in the smaller site. The fronts of the units only have access to George Bush Boulevard and the garages face this street. A five-foot wide sidewalk is proposed along George Bush Blvd and paved walkways are proposed from individual unit entries to the respective driveways.

- 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.*

25.4 percent of the site will be landscape/open space. A potential location for a pool is identified for each unit.

LDR Section 4.6.8, Lighting

The applicant is proposing street lighting for George Bush Boulevard in accordance with Table 6-1 Level of Illumination for Streets and Highways from the FDOT Manual of Uniform Minimum Standards for Design Construction and Maintenance for Streets and Highways. This shall be provided prior to building permit issuance. The light poles located in the public right-of-way must comply with City Standards. The lighting requirements have been met pursuant to **LDR Section 4.6.8(3) Illumination Standards** for the proposed accent lighting that is proposed along the driveways and walkways. The rooftop terraces will have high hats recessed under the third floor balcony. A spot photometric is required prior to certification.

LDR Section 4.6.9, Off-Street Parking Requirements

Pursuant to the requirements in this section, two or more-bedroom dwelling units shall provide two spaces per unit and one-half a spaces of guest parking. 15 parking spaces are required, and 24 are provided (2 per garage, and 2 per driveway).

Landscape Analysis

Pursuant to **LDR Section 2.4.5(H)(5), Landscape Plan 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:*

- (a) Objectives of landscaping regulations Section 4.6.16.
- (b) 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.

Pursuant to LDR Section 4.6.16(C)(1)(a), prior to the issuance of a building permit for a structure or a paving permit, compliance with the requirements of LDR Section 4.6.16 shall be assured through the review and approval of a landscape plan submitted pursuant to Section 2.4.3(C).

Landscape Data		
	Required	Proposed
Interior Landscaping [Sec. 4.6.16.(H)(3) (g) & (h)]	3 trees	8 trees and 5 palms
Foundation Landscaping [Sec. 4.6.16.(H)(4)]	170 l.f.	13 palms and 33 shrubs
Landscaping Barrier [Sec. 4.6.16.(H)(3)(d)]	2 trees	2 trees & 6 palms
Landscape Buffer along south property line, 200 l.f. [Sec. 4.4.6(l)(1)(c)]	7 trees & continuous hedge	12 trees & 3 palms with layers of continuous hedge
Street Trees [Sec. 4.6.16(H)(6)]	5 trees	No trees are proposed.

The landscape plans were reviewed and found to comply with or exceed the landscape requirements, with the exception of **LDR Section 4.6.16(H)(6)** which requires *one street tree ... for every 40 linear feet of street frontage with a minimum of one tree per property*. **No trees are proposed**; the waiver request is detailed below.

The proposed shade trees consist of Autograph Tree, Simpson Stopper, and Dwarf White Trumpet. Palms include Veitchia Montgomeryana and Buccaneer Palms. The understory trees and shrubs include Crabwood, Bahama Wild Coffee, Ti Plant, Queen Emma, Silver Button Wood, and Dwarf Tree Jasmine.

During the review process, it was recommended that the Simpson Stoppers (MFR) to the rear of the property be moved five feet from the south property line to avoid conflict with the underground utilities and the access easement. The applicant chose not to relocate the trees, stating that the trees are appropriate for the proposed area. The Board should consider the staff recommendation related to the relocation of the Simpson Stoppers at least five feet from the property line not to conflict with the underground utilities.

The following trees are identified for removal and summarized in the table below.

Existing Tree & Palm Removal and Mitigation					
Trees			Palms		
Removed		Proposed for Mitigation	Removed		Proposed for Mitigation
Trees with the condition rating less than 50%:	0	0	Palms with the condition rating less than 50%:	0	0
Trees with the condition rating equal to or greater than 50%	210 DBH (1 trees)	2,679 DBH (45 trees) *	Trees with the condition rating equal to or greater than 50%	1479 ft in ht. (77 palms)	1169 ft in ht (57 palms) *
*Some of removed palms are mitigated with new trees, pursuant to LDR Sec.4.6.19(E)(5) Imposition of conditions.					

Per LDR Section 4.6.9(E)(5)(d) In lieu fee *Where the property cannot accommodate tree replacement on a DBH/caliper inch-per-inch basis, an in-lieu of fee shall be deposited into the Tree Trust Fund for those trees with a condition rating of 50 percent or greater. The in-lieu fee is calculated per DBH inch for each tree that cannot be mitigated by replacement and shall be approved by the Site Plan Review and Appearance Board (SPRAB) or the Historic Preservation Board (HPB), as appropriate, as part of the landscape plan.*

The In Lieu fee to paid into the Tree Trust Fund is \$14,300.

LDR Section 2.4.7(B), Waivers

Pursuant to **LDR 4.6.16(C)(4)** *Relief from the provisions of this Section shall only be granted through the waiver process [Section 2.4.7(B)] by the City Commission, Site Plan Review and Appearance Board or Historic Preservation Board as applicable. The Site Plan Review and Appearance Board may grant the landscape waiver.*

Pursuant to **LDR Section 2.4.7(B)(5) 5) Findings**, *Prior to granting a waiver, the granting body shall make findings that the granting of the waiver:*

- a) *Shall not adversely affect the neighboring area;*
- b) *Shall not significantly diminish the provision of public facilities;*
- c) *Shall not create an unsafe situation; and,*
- d) *Does not result in the grant of a special privilege in that the same waiver would be granted under similar circumstances on other property for another applicant or owner.*

LDR Section 4.6.16(H)(6) *requires one street tree ... for every 40 linear feet of street frontage with a minimum of one tree per property Street trees shall be located between the inside edge of sidewalk and edge of road pavement. 5 trees are required, but **no street trees are proposed.** Per the City Engineer, street trees are required to be at least 14 feet from the edge of pavement, or the applicant could provide raised curbs to adjust the required offset to four feet from face of curb to comply with horizontal offset requirements as established in the Florida Greenbook.*

The applicant has stated in the justification letter (attached) that the placement of the street trees at 14 feet from edge of pavement would place the trees directly over an exfiltration system. The applicant also states that the proposed four-foot offset requiring the installation of curbs will conflict with the current FDOT Roadway Plan, which provides a valley gutter, and that the requirement will also interfere with the ingress and egress of the current design of the driveways. Therefore, the applicant is seeking relief from this provision of the above code section as it is not feasible to provide the street trees between the edge of sidewalk and edge of road pavement.

The omission of the street trees is not anticipated to have an adverse effect on the neighborhood, beyond the missed opportunity for beautification. Requiring the applicant to install the street trees at the required 14 feet from the edge of pavement could diminish the provision of public facilities and create an unsafe situation by interfering with the City’s existing exfiltration trench stone and piping on site. Although it is possible to locate the street trees 4 feet from the edge of the pavement, the necessary curbs will be in conflict with the FDOT design. In the past the City Engineer and Senior Landscape Planner have worked with applicants to provide alternative designs that allow street trees closer to the edge of pavement; granting of the waiver will not result in special privilege. These alternative designs have not, however, effectively supported the long-term health of the trees.

Rooftop landscaping is discussed relative to the architectural elevations, as the proposed landscaping is integral to the architectural

design.

Architectural Elevations

Pursuant to **LDR Section 2.4.5(I)(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.*

Pursuant to LDR Section 4.6.18 (A)(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.*

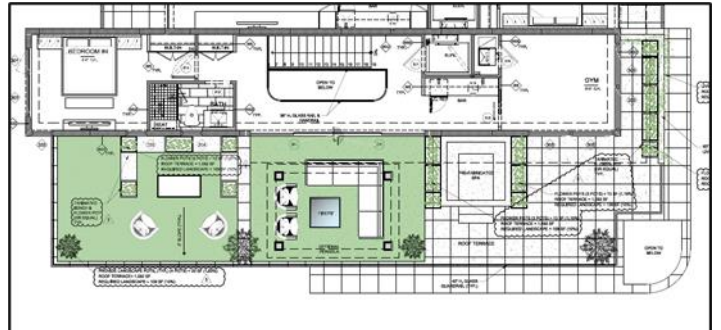
Pursuant to LDR Section 4.6.18 (E), *The following criteria shall be considered, by the Site Plan Review and Appearance Board or Historic Preservation Board, in the review of plans for building permits.*

- 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 development proposal includes one three-story building, containing a total of six multifamily townhome units, totaling 34,388 square feet. The proposed architecture has primary characteristics of Masonry Modern with terraces and flat roofs and details on the second story enclosing the terraces. The mechanical equipment is located on the roof, and fully screened by a stucco finish screen wall. The windows are vertical, and a decorative aluminum column is used on the second floor on the balcony. The balconies consist of glass railings with aluminum frames and an eyebrow canopy is a design element on the third floor. The entrance to the units is identifiable with paver walkways leading to the front doors. Each unit contains a garage in Earl Grey color. The walls are a smooth stucco in Pure white with an accent of shell stone cladding.

Rooftop landscaping is proposed. Pursuant to **LDR Section 4.3.3(RR)(3)(C)** *Rooftop use areas greater than 100 square feet and located below the maximum building height shall landscape a minimum of ten percent of the rooftop use area. Rooftop use areas that are located at the maximum building height shall landscape a minimum of 20 percent. Landscaping shall consist of trees, shrubs, ground cover, and vines.*

Roof top terraces are provided on the second floor, and are 1,092 SF. The applicant has provided 109 SF of landscaping, which includes living walls, planters, and pots (see the figure to the right).



The proposed townhome design is in scale and in good taste and in general and will enhance the character, value, and attractiveness of the surroundings. The proposed structure is in harmony with the surrounding areas with multifamily to the north, west and east and can be supported by policies in the Comprehensive Plan.



LDR Section 2.4.5(F)(5), Required Findings

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.

The following diagram and table indicate the zoning and land use of the properties surrounding the subject property:

Adjacent Zoning, Land Use, and Use			
	Zoning Designation	Land Use	Use
North	Multiple Family Residential (RM)	Medium Density (MD)	Multi-Family Residential
South	R-1-AAA (Single Family Residential)	Low Density (LD)	Single Family Home
East	Multiple Family Residential (RM)	Medium Density (MD)	Multi-Family Residential
West	Multiple Family Residential (RM)	Medium Density (MD)	Multi-Family Residential

If approved, the project would be compatible with the scale and uses of the surrounding properties.

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.

The proposed site plan is generally compliant; complete discussion is provided below.

- Section 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 property has a LUM designation of MD, and a zoning designation of RM, which are compatible with each other. The standard density for MD land use designation is 5 to 12 dwelling units per acre (du/ac). Pursuant to LDR Section 4.4.6(B)(3), multiple family structures are allowed as a principal use in the RM zoning district with a base density of six and a maximum density of 12 du/ac. Based on the total existing land area of 0.62 acres, a maximum of 6 units are allowed; 6 are proposed.

- Section 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.*

Compliance with traffic, schools, utilities, Parks and Recreation, and solid waste are discussed below.

Traffic: A Traffic Performance Standards (TPS) review letter from Palm Beach County for six multi-family residential dwelling units has been provided indicating the project meets the TPS of Palm Beach County. The approved project will generate 16 New Net Daily trips, -1 (-1/0) New Net AM Peak Hour trips, and -1(-1/0) New Net PM Peak Hour Trips (a decrease from the existing development). The driveway connections onto George Bush Boulevard are not necessarily approved through the TPS letter; a right of way construction permit must be obtained from Palm Beach County and the City.

Schools: The School Capacity Availability Determination (SCAD) review from the School District of Palm Beach County (see attached SCAD form) determined that the Project will generate one student at the elementary level, one student at the middle school level, and one student at the high school level. It was determined that there will be no negative impact on the public-school system, and impact fees are not required.

Water and Sewer: The survey indicates City water and Sewer service is provided. The City's Water Atlas indicates water is provided to the site by an 8-inch water main and the Sewer atlas indicated sewer service is provided by an 8-inch sewer main in the rear of the property.

Solid Waste: Six new townhome units x 1.99 tons = 11.94 tons of solid waste per year. The Solid Waste Authority has indicated that its facilities have sufficient capacity to accommodate all development proposals until 2054.

Parks and Recreation Facilities: Pursuant to 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 number of units, a park impact fee of \$3,000 will be required at the time of building permit.

Drainage. The City's Drainage is provided along George Bush Blvd with a 24" RCP.

- Section 3.1.1 (C) – Consistency:** *Compliance with performance standards set forth in Chapter 3 and required findings in Section 2.4.5(F)(5) for the request shall be the basis upon which a finding of overall consistency is to be made. Other objectives and policies found in the adopted Comprehensive Plan may be used in making a finding of overall consistency.*

Applicable comprehensive plan polices are discussed below.

HOUSING ELEMENT

Policy HOU 1.4.4 *Continue to enforce streetscape landscaping requirements which are consistent and compatible within a neighborhood and reinforces the neighborhood's established theme and character.*

Street trees are important to the neighborhood's character. Unfortunately, in many areas of the City of Delray Beach, the City swale and utilities conflict with ability to install the street trees. In this instance, FDOT is making improvements to George Bush Blvd. and the required placement of street trees conflicts with the City's exfiltration system. The applicant has provided shade trees on each driveway along with Palms and foundation plantings.

Objective HOU 3.1 Development to Accommodate Housing Needs *Provide opportunities for residential development to accommodate the housing needs of existing and future residents.*

Luxury townhomes are very common in Delray Beach.

NEIGHBORHOODS, DISTRICTS, AND CORRIDORS ELEMENT

Policy NDC 1.1.7 *Establish the maximum density, measured in dwelling units per gross acre, for residential land use and mixed-use designations (See Table NDC-1). The Standard density is the range of density allowed in the land use designation. The Revitalization/Incentive density is the maximum density that may be offered in the Land Development Regulations to achieve a certain community benefit in a specific area as part of an incentive program, or to implement the recommendations of an adopted redevelopment or neighborhood plan. Standards in the Land Development Regulations, including those guiding compatibility and transitions, such as setbacks, height limitations, open space criteria, etc. may limit the actual density achievable on a specific site.*

Policy NDC 1.2.6 *Apply the Medium Density Residential land use designation to land that is or will be developed for a wide range of housing types, including but not limited to attached and detached single-family and multi-family housing.*

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.*

The proposed townhouse development complies with the development requirements of the RM zoning district and the density limits and character prescribed by the MD land use.

Policy NDC 1.1.14 *Continue to require that property be developed or redeveloped or accommodated, in a manner so that the use, intensity and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable goods and services; are complementary to and compatible with adjacent land uses; and fulfill remaining land use needs.*

The proposed townhome development is compatible with the adjacent existing surrounding residential neighborhoods. The project provides six dwelling units with four-bedroom floor plans and open terraces. Luxury townhome developments are a common development type within the City. Any housing units contribute the housing supply, which currently does not meet the housing demand.

Policy NDC 2.1.2 *The City shall not increase the net density within the Coastal High Hazard Area, including through incentive programs, zoning changes, or land use designation amendments.*

There are 10 units on the subject property; 6 units are proposed.

Section 3.1.1 (D) – Compliance with the LDRs: *Items identified in the Land Development Regulations shall specifically be addressed by the body taking final action on the site and development application/request.*

The Class V site plan is subject to standards in LDR Section 4.4.6, Medium Density Residential (RM) District. Compliance with these regulations and other specific regulations to the request are discussed in the site plan analysis.

Technical Notes

1. An In Lieu Fee of \$14,300 is required prior to building permit issuance.
2. A plat is required to be recorded at the Palm Beach County Clerk of Court prior to building permit issuance.
3. The site data table on the site plan must be updated prior to certification to reflect the correct rear setback.
4. Add the rooftop illumination to the plans prior to certification.

Board Action Options

- A. Move to **continue** with direction
- B. Move **approval** of the Class V (2022-014) Site Plan, Landscape Plan, and Architectural Elevations with request for waiver from *LDR Section 4 6.16(H)(6)*; for **1236 George Bush Blvd.** by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations.
- C. Move **denial** of the Class V (2022-014) Site Plan, Landscape Plan, and Architectural Elevations *with request for waiver LDR*

Section 4 6.16(H)(6); for **1236 George Bush Blvd.** by finding that the request is not consistent with the Comprehensive Plan and does not meet the criteria set forth in the Land Development Regulations.

Courtesy Notices

Courtesy Notices were sent to:

- Chamber of Commerce
- Palm Trail
- Beach Property Owners

Appendix A

Sec. 3.2.3. - Standards for site plan and/or plat actions

- A. Building design, landscaping, and lighting (glare) shall be such that they do not create unwarranted distractions or blockage of visibility as it pertains to traffic circulation.
- Not applicable
 - Meets intent of standard
 - Does not meet intent
- B. All development shall provide pedestrian, bicycle, and vehicular interconnections to adjacent properties, where possible, and include accessible routes from the entry points of publicly accessible buildings to the sidewalk network in accordance with the Americans with Disabilities Act (ADA).
- Not applicable
 - Meets intent of standard
 - Does not meet intent
- C. Open space enhancements and recreational amenities shall be provided to meet Objective OPR 1.4 and other requirements of the Goals, Objectives, and Policies, as applicable, of both the Open Space, Parks, and Recreation Element and Conservation Element.
- Not applicable
 - Meets intent of standard
 - Does not meet intent
- D. Any proposed street widening or modification to traffic circulation shall be evaluated by the City, and if found to have a detrimental impact upon or result in the degradation of an existing neighborhood, the request shall be modified or denied.
- Not applicable
 - Meets intent of standard
 - Does not meet intent
- E. Remaining infill lots within the Coastal High Hazard Area of the Coastal Planning Area shall be developed using zoning which is identical or similar to the zoning of adjacent properties or that results in less intense development.
- Not applicable
 - Meets intent of standard
 - Does not meet intent
- F. Property shall be developed or redeveloped in a manner so that the use, intensity, and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable goods and services; are complementary to and compatible with adjacent land uses; and fulfill remaining land use needs.
- Not applicable
 - Meets intent of standard
 - Does not meet intent
- G. Development shall provide a variety of housing types that accommodates the City's growing and socio-economically diverse

population to meet the Goals, Objectives, and Policies the Housing Element.

- Not applicable
- Meets intent of standard
- Does not meet intent

H. Consideration shall be given to the effect a development will have on the safety, livability, and stability of surrounding neighborhoods and residential areas. Factors such as but not limited to, noise, odors, dust, and traffic volumes and circulation patterns shall be reviewed and if found to result in a degradation of the surrounding areas, the project shall be modified accordingly or denied.

- Not applicable
- Meets intent of standard
- 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
- Meets intent of standard
- Does not meet intent

J. Tot lots and recreational areas, serving children, teens, and adults 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 standard
- Does not meet intent

K. Development shall not exceed the maximum limits established in the Table NDC-1, Land Use Designations: Density, Intensity, and Implementing Zoning Districts, of the Neighborhoods, Districts, and Corridors Element or specific standards established in the zoning districts that limit density (dwelling units per acre) or intensity (floor area ratio) and must adhere to whichever limit is lower. Development in areas included in density or incentive programs (i.e., workforce housing programs specified in Article 4.7-Family/Workforce Housing) may exceed the Standard density limit, up to the specified Revitalization/Incentive density established for the program; development in all other areas shall not exceed the Standard density.

- Not applicable
- Meets intent of standard
- Does not meet intent