



# DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

## SITE PLAN REVIEW AND APPEARANCE BOARD

310 E Atlantic Avenue

Meeting	File No.	Application Type
November 29, 2023	2023-199-SPM-SPR-CL3	Level 2 with Waiver
Applicant / Property Owner		Authorized Agent
Lelyn Delray Properties 1, LLC		Steven E. Myott Architect

### Request

Consideration of a Level 2 Site Plan Modification to alter the façade of the existing building located at 310 East Atlantic Avenue, including updating the storefront frontage, providing each bay individual entrance doors, replacing the existing canopy with a metal awning, and achieving an overall Main Street Vernacular Style.

### Site Data & Information

**Location:** 310 East Atlantic Avenue

**PCNs:** 12-43-46-16-01-093-0021

**Property Size:** 0.1428 Acres

**Land Use Designation:** Commercial Core (CC)

**Zoning District:** Central Business District (CBD), Central Core Sub-district

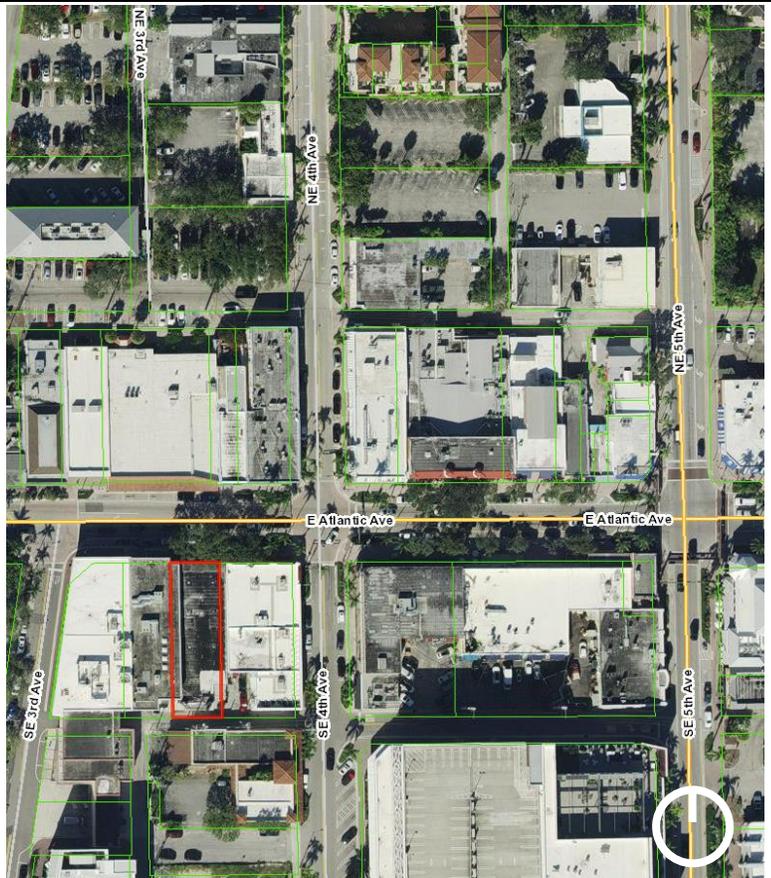
**Adjacent Zoning:**

- **North, South, East & West:** CBD, Central Core Sub-district

**Current Use:** Retail (Tootsies and Kokonuts)

**CBD Central Core Sub-district**

- **Primary Street:**  
-Atlantic Avenue
- Required Retail Frontage
- Atlantic Avenue Limited Height Area
- Atlantic Avenue Parking District





### Background

The 5,752 square foot structure was developed in 1940 in the Masonry Vernacular style, typical of styles found along Atlantic Avenue at that time. The structure comprises of two bays that are interconnected by a single entry that is recessed in at an angle.

A Class III Site Plan Modification, now addressed as a Level 2 per Ordinance No. 31-23, has been submitted to modify the façade of the existing one-story, 5,752 square foot retail space. The proposed storefront modifications will entail the removal of the existing wood frame overhang and storefront windows, replacing them with new impact glass storefronts featuring individual entries for each bay. Additionally, a new 4-foot cantilevered aluminum awning, stucco piers placed at the center and each end of the building, and large format tiles making up the top portion of the building above the awning. These tiles will serve as a backdrop for future tenant signage, with the signage subject to a separate review application.



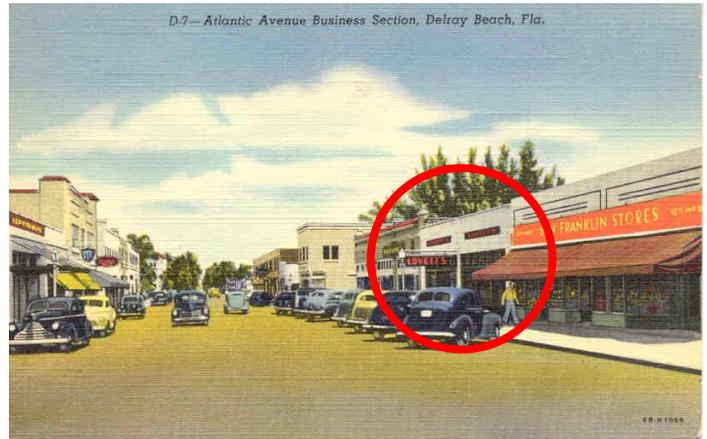
Google Maps Photo

On July 19, 2022, the Atlantic Avenue Historic Resource Survey was presented to the City Commission at a Workshop meeting. The direction by the Commission is to move forward with the creation of a historic district to protect and preserve the character of Delray Beach’s historic main street. It is important to note that the Florida Master Site File form for the property, noted as 310 East Atlantic Avenue, designed in the Masonry Vernacular style of architecture (consistent with Main Street Vernacular style defined by the CBD Architectural Design Guidelines), is identified as a contributing structure within the proposed Atlantic Avenue Historic District. Given its original construction date, this retail structure may be eligible for individual designation on the Local Register of Historic Places or as a contributor to a historic district designation. The contributing classification will apply unless there are substantial external alterations that impacts the historic integrity.

Reverting to the historically aligned front entrances, materials, etc. will not only assist in retaining the historic character of the building and Atlantic Avenue but will also allow the building to be considered for historic designation, which provides benefits including a 10-year tax exemption on the increased value resulting from the improvements, and a 20% income tax credit (if eligible for a national designation as part of a historic district). Historic designation does not preclude a property from being improved, it only ensures that when improvements are made, they are done in an appropriate manner that will maintain the building’s historic integrity.

On October 17, 2023, City Commission approved Resolution No. 189-23, a waiver to reduce the front setback from 10 feet to 3.3 feet, with the condition that the applicant amend the site plan to inset the entrance doors for each retail bay at least three feet from the primary storefront façade.

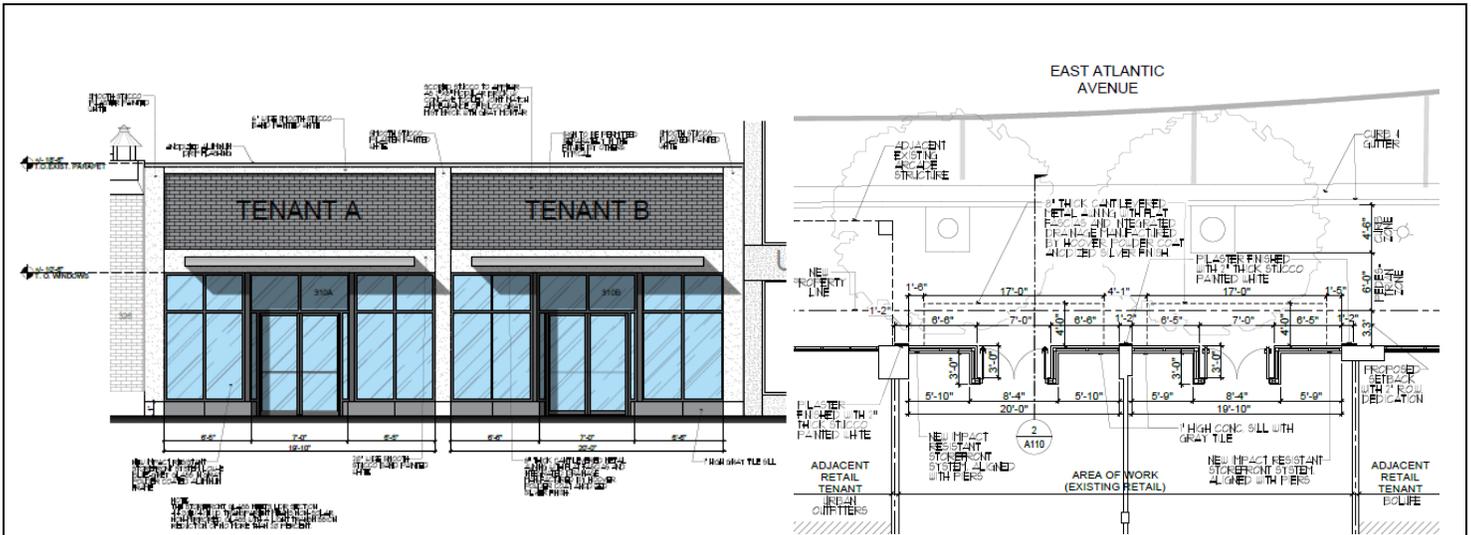
Note: the waiver was reviewed prior to the adaptation of Ordinance No. 31-23. The site plan will be reviewed for consistency with the regulations set forth in Ordinance No. 31-23. It is essential to note that these changes pertain solely to the processing procedures and do not alter the criteria of the approval.



### Description of Proposal

The applicant is proposing to align the façade with the adjacent buildings and modify the façade to provide each bay individual entrance doors and replace the existing canopy with metal awnings above each bay. The parapet is lowered slightly keeping with the historic parapet height. The façade consists of storefront glass, one-foot tall grey tile serving as the storefront base, smooth stucco painted white, and scored stucco to resemble a brick façade painted grey for the parapet. The proposed style is consistent with the Main Street Vernacular Style.

Note: the signage is not included in the scope of this application and will require a separate application and review.



**Staff Analysis**

**LDR Section 2.4.10(A)(3)(b), Findings (Level 2)**  
*Level 2, Level 3, and Level 4 Site Plan applications require compliance with the findings in Chapter 3, Performance Standards.*

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

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

In consideration of the general site plan modification the neighboring area is not anticipated to be impacted by the request. As the building currently aligns with the existing neighboring buildings and the required minimum streetscape is still provided, the pedestrian experience should not be negatively impacted by the request. City Commission made positive findings during the waiver review that does not adversely affect the neighboring area, and while the new storefront doors open outward from the retail space, the applicant modified the plans to comply with the condition in Resolution No. 189-23 and recessed the doors 3 feet as to not create any unsafe conflicts with the pedestrian clear zone area.

**3.1.1(A), Land Use Map**

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

The subject property has a Land Use Map designation of CC, and a zoning designation of CBD, which is a compatible zoning district to implement the CC land use designation. Retail development is permitted within the CBD district, so long as the applicable form-based requirements of the CBD code are sufficiently integrated into the design and configuration of the development.

**3.1.1(B), Concurrency**

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

Potable Water and Sewer: No significant impact from the requested modifications.

Drainage: No significant impact from the requested modifications.

Transportation: No significant impact from the requested modifications.



Parks and Open Space: N/A

Solid Waste: No significant impact from the requested modifications.

Schools: N/A

**3.1.1(C), Consistency**

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

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

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

The proposed development generally meets the applicable standards, proposing a design that is not anticipated to create unwarranted distractions.

**Comprehensive Plan**

Overall, the proposed application is consistent with any applicable Goals, Objectives, or Policies of the Comprehensive Plan, particularly those of the Neighborhood, Districts, and Corridors Element. The Proposal includes the modification of an existing structures façade within the parameters of the CBD regulations.

**Neighborhoods, Districts, and Corridors Element**

Policy NDC 1.3.5 Use the Commercial Core land use designation to stimulate the vitality and economic growth of the city while simultaneously enhancing and preserving the cultural and historic downtown area.

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

*Whenever an item is identified elsewhere in these Land Development Regulations (LDRs), it shall specifically be addressed by the body taking final action on a land development application/request. Such items are found in Section 2.4.10 and in special regulation portions of individual zoning district regulations.*

**Section 4.4.13, Central Business District**

Standard/Regulation	Review
<b>Height</b> Table 4.4.13(C)	<b>Minimum:</b> 18 feet, 1 story <b>Maximum:</b> 38 feet, 3 stories <b>Existing:</b> 19 feet and 6 inches <b>Proposed:</b> 18 feet and 6 inches
<b>Setbacks</b>	<b>Required:</b> <b>Front:</b> 10-15 feet <b>Side:</b> 0-5 feet <b>Rear:</b> 10 feet <b>Proposed:</b> <b>Front:</b> 3.3 feet (waiver approved) (2-ft ROW dedication is required; currently under review) <b>Side:</b> 0 feet <b>Rear:</b> 1 foot (existing non-conformity)
<b>Streetscape Standards</b> 4.4.13(E)(2)	<b>Curb Zone:</b> Required – Minimum 4 feet; Provided – 4 feet and 6 inches <b>Pedestrian Clear Zone:</b> Required – 6 feet; Provided – 6 feet <b>Minimum Total Streetscape Width:</b> Required – 15 feet; Provided 13.8 feet to 16.8 feet (Streetscape minimum was reviewed during Waiver approval; condition to provide entrance door inset was required)



<p><b>Frontage Type: Storefront</b> 4.4.13(E)(4)(e)</p>	<p><b>Required:</b> The storefront is a frontage type along the sidewalk level of the ground story, typically associated with commercial uses. Storefronts are shaded by awnings or arcades.  <u>Building Setback:</u> 10-15 feet  <u>Store Width:</u> 75 feet max on Required Retail Streets  <u>Storefront Base:</u> 9 inches to 3 feet  <u>Glazing Height plus Storefront Base:</u> 8 feet minimum  <u>Required Openings:</u> 80% minimum  <u>Awning Projection:</u> 5 feet minimum  <b>Proposed:</b>  <u>Building Setback:</u> 3.3 feet  <u>Store Width:</u> 45 and 2 inches  <u>Storefront Base:</u> 1 foot  <u>Glazing Height plus Storefront Base:</u> 10 feet and 6 inches  <u>Required Openings:</u> 88%  <u>Awning Projection:</u> 4 feet (3.3 feet within the setback and 0.7 feet within the public ROW; a hold harmless has been attained for the awning)</p>
<p><b>Architectural Elevations</b> 4.4.13(F)</p>	<p>A review of the CBD architectural requirements is provided under the <b>Architectural Elevations</b> section of the report.</p>

Further review of the project for compliance with the LDR is provided as part of the Architectural Elevations review.

**Review & Analysis: Architectural Elevations**

**LDR Section 2.4.10(A)(3)(d), Findings (Level 2)**

*Architectural Elevations, including modifications to existing building facades, require an overall determination of consistency with the objectives and standards of Section 4.6.18, Architectural Elevations and Aesthetics, and any adopted architectural design guidelines and standards, as applicable.*

**LDR Section 4.6.18, Architectural Elevations and Aesthetics**

**(A) Minimum Requirements**

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

The proposed front elevations provided below have been reviewed for compliance with both Section 4.6.18 and the architectural standards in 4.4.13.

**(E), Criteria for board action**

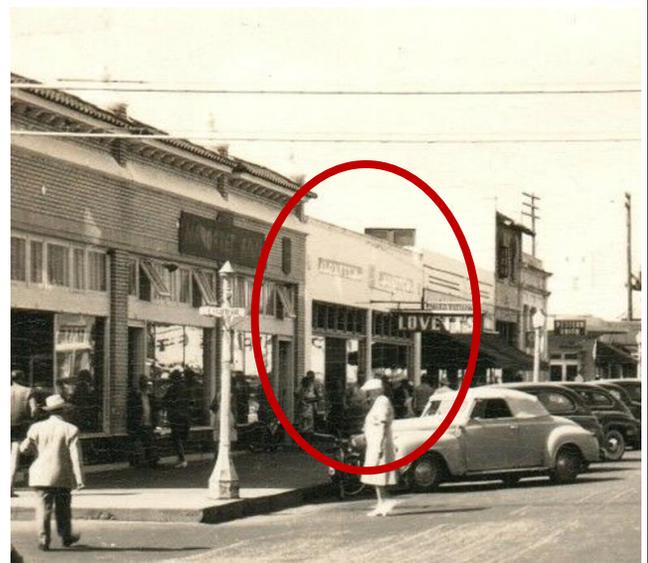
*The following criteria shall be considered, by the Site Plan Review and Appearance Board or Historic Preservation Board, in the review of plans for building permits. If the following criteria are not met, the application shall be disapproved.*

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

The proposed development incorporates many elements of the Main Street Vernacular architectural style outlined in the Delray Beach CBD Architectural Guidelines with Storefront frontage type. The parapet is proposed to be lowered in keeping with the historic parapet



height. The recessed façade will be aligned with the adjacent structures and the entrance doors will remain recessed to avoid conflict opening onto the sidewalk. The façade consists of a storefront that meets the requirements set in LDR Section 4.4.13(E)(4)(e). The proposed colors are comprised of grey at the storefront base, parapet, and metal awning, and white along the façade trim and along the center splitting each bay.



**LDR Section 4.4.13(F), Architectural Standards.**

To ensure high quality architecture in the downtown area, the following architectural standards apply to all buildings in the Central Business District Sub-districts and in the OSSHAD with CBD Overlay. In addition to the standards in Section 4.6.18, the following standards apply in all CBD Sub-districts.

Standard/Regulation	Review
<b>Façade Composition Tripartite Composition: Base Middle, Top</b> 4.4.13(F)(2)	<b>Base:</b> Storefront base – 1 foot grey tile <b>Middle:</b> Storefront glass – 9 feet and 6 inches <b>Top:</b> Parapet – 8 feet
<b>Appropriate Architectural Styles</b> 4.4.13(F)(3)	<b>Proposed Style:</b> Main Street Vernacular
<b>Openings</b> 4.4.13(F)(5)	Applicant has indicated that the transparency requirements have been met.

**Delray Beach Central Business Architectural Design Guidelines**

*Masonry Modern is defined by its rational load bearing construction technique, its system of punched openings (versus large expansive walls of windows) and its limited ornament. Stucco is the prevalent building finish in the Masonry Modern style. Stone and wood details are used to soften the stark modern forms of the building mass.*

The proposed design is an interpretation of the Main Street Vernacular architectural style. The design utilizes a material palette (primarily smooth stucco or brick) that is customary for the style and does deliver a composition of a series of vertically proportioned bays containing storefronts along the sidewalk. Furthermore, the storefronts are designed to accommodate shade for pedestrians by incorporating metal awnings at each bay entrance – a distinguished element of the proposed style.

**Review by Others**

The **DDA** reviewed and recommended approval, 7-0, of the full Level 2 Site Plan Modification, previously addressed as a Class III, request at its meeting of September 11, 2023. A signed copy of the Board’s review memo is included as an attachment.

The Level 2 Site Plan Modification, previously addressed as a Class III, and waiver request was included in the **CRA** September Memo.



### Optional Board Motions

- A. Move to **approve** the requested Level 2 Site Plan Modification to alter the façade of the existing building located at **310 East Atlantic Avenue**, including updating the storefront frontage, providing each bay individual entrance doors, replacing the existing canopy with a metal awning and providing an overall Main Street Vernacular Style, by finding that the request meets the criteria set forth in the Land Development Regulations.
- B. Move to **approve, as amended**, the requested Level 2 Site Plan Modification to alter the façade of the existing building located at **310 East Atlantic Avenue**, including updating the storefront frontage, providing each bay individual entrance doors, replacing the existing canopy with a metal awning and providing an overall Main Street Vernacular Style, by finding that the request meets the criteria set forth in the Land Development Regulations.
- C. Move to **deny** the requested Level 2 Site Plan Modification to alter the façade of the existing building located at **310 East Atlantic Avenue**, including updating the storefront frontage, providing each bay individual entrance doors, replacing the existing canopy with a metal awning and providing an overall Main Street Vernacular Style, by finding that the request does not meet the criteria set forth in the Land Development Regulations.
- D. Move to **continue** with direction.