



Cover Memorandum/Staff Report

File #: 24-1353

Agenda Date: 10/15/2024

Item #: 7.C.

TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: October 15, 2024

RESOLUTION NO. 188-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A LEVEL 4 SITE PLAN, ARCHITECTURAL ELEVATIONS, AND LANDSCAPE PLAN WITH A WAIVER TO SECTION 4.6.16(H)(3)(i) OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW A LANDSCAPE ISLAND WITHOUT A SHADE TREE FOR THE PROJECT KNOWN AS THE EDGE AT PINEAPPLE GROVE LOCATED AT 605 NE 2ND STREET, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (QUASI JUDICIAL).

Recommended Action:

Review and consider Resolution No. 188-24, approval of a Level 4 Site Plan, Architectural Elevations, and Landscape Plan with a Landscape Waiver, to construct a seven-unit townhouse development known as The Edge at Pineapple Grove located at 605 NE 2nd Street.

Background:

The subject property, located at the northeast corner of NE 6th Avenue and NE 2nd Street, is currently occupied by three structures: a former restaurant constructed in 1948 and two residential buildings constructed in 1925. The property fronts two Primary Streets, NE 6th Avenue to the west and NE 2nd Street to the south, and is bordered by Hoffman Lane (an alley) to the east. The site is located within the Central Business District (CBD), Central Core Sub-district.

The applicant has submitted a Level 4 Site Plan application proposing the demolition of the existing structures and the construction of a seven-unit townhouse development. The applicant requested the following waivers from the Land Development Regulations (LDR), which were reviewed prior to site plan consideration:

1. LDR Section 4.4.13(D)(2)(a)1., Front Setback: The applicant requested a reduction in the required front setback from a minimum of 10 feet to three feet, six inches at the northwest corner of NE 6th Avenue and NE 2nd Street. On January 4, 2024, the City Commission approved the waiver by a 3-2 vote (Resolution No. 11-24).
2. LDR Section 4.4.13(I)(3)(b)1., Location and Access to Off-Street Parking: The applicant requested vehicular access from a Primary Street (NE 2nd Street), whereas the alley should be the primary source of vehicular access to off-street parking. On May 7, 2024, the City Commission denied the waiver by a 4-1 vote (Resolution No. 12-24).

The original application, submitted on October 7, 2021, proposed eight townhouse units. Following

the denial of the requested vehicular access waiver for NE 2nd Street, the applicant revised the project to reduce the number of units to seven and comply with the required access from Hoffman Lane. The City also requested the installation of an “emergency access only” gate on NE 2nd Street.

The revised proposal consists of seven four-story townhouse units with stoop entrances facing NE 6th Avenue and Hoffman Lane. Four units front NE 6th Avenue and three front Hoffman Lane, with vehicular access to all garages provided via an interior drive aisle accessed from Hoffman Lane. Each unit contains three bedrooms and includes a rooftop terrace. Parking is provided in private garages, with three guest parking spaces (one along NE 6th Avenue and two along NE 2nd Street). Trash collection is managed by Waste Management, with trash bins stored in each garage and placed for pick-up at a designated location on the north side of Unit 5.

Additionally, the applicant seeks a landscape waiver for relief from LDR Section 4.6.16(H)(3)(i), which requires the planting of a shade tree in the landscape island at the southeast corner of the property adjacent to the parallel parking spaces along NE 2nd Street. The waiver request is based on the presence of an underground water main, which prevents the required shade tree from being planted in the specified location. To approve the landscape waiver, the City Commission must make the following findings from LDR Section 2.4.11(B)(5):

- (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.
- (e) Within the CBD, the following additional findings apply:
 - 1. The waiver shall not result in an inferior pedestrian experience along a Primary Street, such as exposing parking garages or large expanses of blank walls.
 - 2. The waiver shall not allow the creation of significant incompatibilities with nearby buildings or uses of land.
 - 3. The waiver shall not erode the connectivity of the street and sidewalk network or negatively impact any adopted bicycle/ pedestrian master plan.
 - 4. The waiver shall not reduce the quality of civic open spaces provided under this code.

It should be noted that the proposed Masonry Modern architecture was submitted prior to the adoption of Ordinance No. 12-23, which now requires City Commission approval via recommendation by the SPRAB. As such, the proposed Masonry Modern style did not require prior approval before the final action of the site plan.

On September 17, 2024, the Planning and Zoning Board (PZB) reviewed the request and recommended approval to the City Commission by a vote of 5-1 with the condition that the Knox Box for the emergency access from NE 2nd Street is regulated within the Homeowners Association documents. PZB expressed that although the design meets the many of the Masonry Modern elements highlighted in the CBD Architectural Design Guidelines, the design does not meet the intent of Masonry Modern and there is room for improvement.

The item before the City Commission is final action on the project. Approving the proposed Level 4 Site Plan, Architectural Elevations, and Landscape Plan with the landscape waiver requires determining the application is consistent with the Comprehensive Plan and meets the applicable

criteria and findings of the Land Development Regulations. The attached PZB Staff Report provides a thorough analysis of the project and the findings. This will not appear as an appealable item on a future agenda.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

N/A

Timing of Request:

Approval of the Level 4 Site Plan, Architectural Elevations, and Landscape Plan with waiver is required prior to site plan certification and submitting for building permits.