

Planning, Zoning, and Building Department

BOARD ACTION REPORT – APPEALABLE ITEM

Project Name: Swinton Social

Project Location: 27-43 South Swinton Avenue and 104 SE 1st Avenue

Request: 24 month time extension request of an approved Certification of

Appropriateness (COA) and Class V Site Plan Modification (2011

- 178) for adaptive reuse

Board: Historic Preservation Board

Meeting Date: July 6, 2016

Board Action: Approved the request for an extension for the COA and Class V

Site Plan and waivers for the adaptive reuse 5 to 0 vote (Harden

and Budano absent)

Project Description:

The properties consist of 27-43 South Swinton Avenue, Lots 11, 12, 13, 14 and 15, Block 69; 104 SE 1st Avenue consists of Lot 11, Block 70. The properties are zoned Old School Square Historic Arts District (OSSHAD); 27- 43 Swinton Avenue are classified as contributing in the Old School Square Historic District.

Staff supported the request as submitted.

Board comments:

The Board comments were supportive and recommended alternatives to plywood covering windows.

Public Comments:

No members of the public spoke for or against the project.

Associated Actions:

All required actions were taken.

Next Action:

HPB action is final unless appealed by the City Commission.

HISTORIC PRESERVATION BOARD CITY OF DELRAY BEACH STAFF REPORT

MEETING DATE: July 6, 2016

27 - 43 South Swinton Avenue & 104 SE 1st Avenue, Swinton Social, Old ITEM:

School Square Historic District – Extension request of an approved Certificate of Appropriateness and Class V Site Plan (2011 - 178) for the establishment of

spa and restaurant uses, and a valet parking lot.

RECOMMENDATION: Approve for 24 months.

GENERAL DATA:

Owner: BBC Holdings, LLC

Currie Sowards Aguila Architects; Agent:

Bob Currie

Location: 27 – 43 South Swinton Avenue;

104 SE 1st Avenue

South Swinton Avenue: .74 acres Property Size:

SE 1st Avenue: .18 acres

Future Land Use Map: Other Mixed Use (OMU)

Current Zoning: Old School Square Historic Arts

District (OSSHAD)

Adjacent Zoning: South Swinton Avenue

> North: OSSHAD South: OSSHAD

East: OSSHAD w/Central Business District

(CBD) Overlay

West: OSSHAD

SE 1st Avenue

North: OSSHAD w/CBD Overlay

South: OSSHAD East: CBD West: OSSHAD

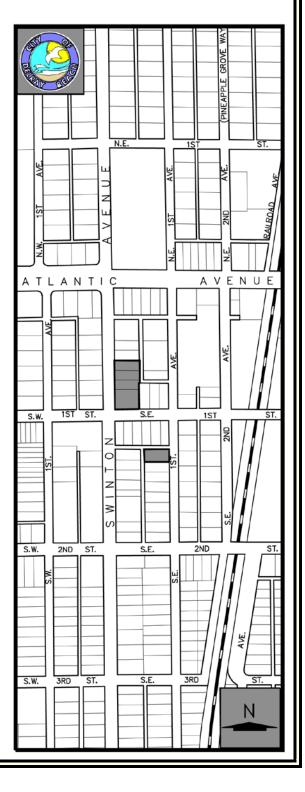
South Swinton Avenue: Spa and

Restaurant

Proposed Land Use: SE 1st Avenue: Valet Parking Lot

Water Service: Existing on site

Sewer Service: Existing on site



ITEM BEFORE THE BOARD

The item before the Board is consideration of a twenty-four month time extension for the approvals of a Certificate of Appropriateness and Class V Site Plan for the adaptive reuse and development of the properties located at 27, 31, 35, and 43 South Swinton Avenue and 104 SE 1st Avenue (aka Swinton Social), Old School Square Historic District, pursuant to LDR Section 2.4.6(H).

BACKGROUND

27 - 43 South Swinton Avenue: The subject properties consist of Lots 11, 12, 13, 14, and 15, Block 69, Town of Delray Beach. The 0.74-acre property presently contains four (4) one-story, frame vernacular, single-family residences constructed between 1937 and 1950, which have been abandoned for a number of years. One accessory structure (garage) remains on the southernmost property.

In 2003, a COA and Class V Site Plan application were approved by the Board. The approved development was for the adaptive reuse of the residences to retail, office, and restaurant. However, the approval expired, and no improvements to either the historic structures or the property have occurred.

104 SE 1st **Avenue:** The subject property consists of Lot 11, Block 70, Town of Delray Beach and measures approximately .18 acres. A one-story, multi-family dwelling was constructed on the property in 1952; it was demolished in 2004. The property has since remained vacant.

Both properties are zoned Old School Square Historic Arts District (OSSHAD), and are located within the Old School Square Historic District. The four residences on South Swinton Avenue are classified as <u>contributing</u> in the historic district.

2011: At the Historic Preservation Board meeting of November 16, 2011, a COA and Class V Site Plan (2011-178) were approved for both sites.

The approval for the properties located at **27-43 South Swinton Avenue** was for the adaptive reuse from single-family residential to restaurant and personal services (spa). The approval was subject to the following conditions:

- 1. That the height of all accessory structures not exceed the height of any of the historic (principal) structures;
- 2. That any replacement siding be of wood to match the existing profile and type;
- 3. That more aesthetically appropriate lighting fixtures be provided;
- 4. That the restroom and check-in pavilions comply with the 10' rear setback requirement, or that a variance to the requirement be submitted and approved by the HPB:
- 5. That all signage associated with the spa and restaurant uses be submitted as a separate COA requiring HPB approval;
- 6. That the valet queue be indicated on the subject property of South Swinton Avenue and indicated the minimum queuing length of 100';
- 7. That a 1' dedication be accepted along SE 1st Street, adjacent to the property, prior to issuance of the building permit;
- 8. That a 20' x 20' corner clip dedication at the northeast corner of South Swinton Avenue and SE 1st Avenue be accepted prior to issuance of the building permit;
- 9. That a 2' right of way dedication from the north/south alley (Block 69) adjacent to the property be accepted prior to issuance of the building permit;
- 10. That all kitchen vents and rooftop equipment be indicated and be property screened, subject to review for compliance with LDRs;

- 11. That the lighting within the rear of the property at the Spa be indicated, subject to compliance with the LDRs and CPTED review;
- 12. That the location of all air conditioning units, generators, etc be properly indicated on the site plan and comply with height, setback, and screening requirements;
- 13. That the seating at the juicebar be fixed;
- 14. That adequate access from the rear gate to the paved area by the swimming pool is not acceptable through the sand, and be revised to a paved walkway is required;
- 15. That the egress thru nano-style doors from café be provided to comply with fire safety requirements;
- 16. That shutterdogs be provided for all shutters;
- 17. That a Unity of Title between the two properties be recorded prior to Site Plan certification; and,
- 18. That the southernmost sidewalk entry on the side leading to the Café be widened by 1' to provide a more direct and inviting pedestrian access.

A <u>waiver</u> to reduce the number of parking spaces required on site (24-43 South Swinton Avenue & 104 SE 1st Avenue) from 53-33 was also approved by the HPB. A second <u>waiver</u> was approved to permit 7 parallel parking spaces to be located between the existing structures and South Swinton Avenue.

The approval for the property at **104 SE 1**st **Avenue** was to develop the vacant parcel into a Valet Parking Lot. The approval was subject to the following conditions:

- 1. That the wood fence be increased to a height of 6' along the south and west perimeter, except within the front and side street setback areas, where it may be increased to a height of 4', outside of the maximum 3' height within the sight visibility triangle;
- 2. That any fencing which is more than 75% opaque be setback 2' from the property line and screened with hedging which measures the height of the fence within two years of planting;
- 3. That a variance to the Open Space requirement be submitted and approved by the HPB or that the Site Plan be revised to meet the Open Space requirement, all subject to HPB review and approval;
- 4. That an agreement with the City be recorded in order to provide the required parking as valet on SE 1st Avenue;
- 5. That a 5' dedication along SE 1st Avenue adjacent to the property be accepted prior to issuance of a building permit;
- 6. That a 2'6" dedication from both the east/west & north/south alleys (Block 70) adjacent to the property be accepted prior to issuance of the building permit.

Subsequent to the HPB approval, the City Commission approved three waivers associated with the Class V Site Plan application at their regular meeting on December 6, 2011. The waivers were approved for the following relief:

- 1. 27-43 South Swinton Avenue: Permit a 6' high wall within the side street setback along a portion of SE 1st Street, whereas LDR Section 4.5.1(E)(3)(a)1.c., limits heights of fences and walls to 4' within the side street setback.
- 2. 104 SE 1st Avenue: Permit a drive aisle width of 22', whereas LDR Section 4.6.9(F)(3)(d) requires a drive aisle width of 24'.
- 3. 104 SE 1st Avenue: Permit a landscape buffer to measure between 1'6" and 6'4" wide (as indicated on the submitted plan), whereas LDR Section 4.6.9(F)(3)(i) requires a perimeter landscape buffer to measure 10' wide.

A variance (2012-031) to reduce the open space requirement from 25% to 14.9% on the property located at 104 SE 1st Avenue was approved by the HPB at its meeting of December 7, 2011. The variance was approved in association with the approved valet parking lot.

2013: A twenty-four month extension request was approved at the Board's meeting of November 20, 2013, subject to the following conditions of approval:

27-43 South Swinton Avenue

- 1. That the historic structures be maintained in a safe and secure manner, and that all window or door openings which may be broken or open, be covered up and painted to match the buildings;
- 2. That LDR Section 4.6.16 be applied and any plans requiring revision be submitted, with any revisions requiring a site plan modification or relief be submitted and approved separately;
- 3. That a 1' dedication be accepted along SE 1st Street, adjacent to the property, prior to issuance of a building permit;
- 4. That a 20' x 20' corner clip dedication at the northeast corner of South Swinton Avenue and SE 1st Avenue be accepted prior to issuance of a building permit:
- 5. That a 2' right of way dedication from the north/south alley (Block 69) adjacent to the property be accepted prior to issuance of a building permit.

104 SE 1st Avenue

- 1. That an agreement with the City be recorded in order to provide the required parking as valet on SE 1st Avenue, prior to issuance of a Certificate of Occupancy;
- 2. That a 5' dedication along SE 1st Avenue adjacent to the property be accepted prior to issuance of a building permit;
- 3. That a 2'6" dedication from both the east/west & north/south alleys (Block 70) adjacent to the property be accepted prior to issuance of a building permit.

NOTE: The original conditions of approval were in compliance at the time of the 2013 extension. Any outstanding conditions were included in the extension approval.

2014: In accordance with the 2013 Site Plan extension, a revised Landscape Plan was submitted for compliance with the Landscape Regulations. The plan was found to be in compliance with the exception of the previously approved 6' wide landscape islands at 104 SE 1st Avenue. At its meeting of June 18, 2014, the Board approved the waiver to maintain the 6' wide islands from the required 9' width.

2015-2016: An additional extension to July 15, 2016 was granted under Executive Order 15-173 which was issued on August 28, 2015 and declared a State of Emergency in preparation for Tropical Storm Erika.

The project has not commenced; therefore, an extension request for the COA and Class V Site Plan has been submitted and is before the Board for consideration. The HPB Staff Report for the meeting of November 16, 2011 is attached for reference and includes a complete description of the approved project.

The present agent has inquired about the demolition and reconstruction of the building at 43 South Swinton Avenue given the fire damage that has occurred. Staff has responded to the agent and indicated that a Class III Site Plan Modification and submittal of information compliant with the Demolition regulations of LDR Section 4.5.1(F) will be required as part of a separate review from the subject extension request.

Note: At its meeting of February 7, 2012, the City Commission approved a Conditional Use (2012-022) request for the establishment of outdoor dining on the property located at 27-43 South Swinton Avenue. The Conditional Use was approved subject to conditions; an extension was approved by the City Commission in 2014. A second extension is to be considered by the City Commission at its July 5, 2016 meeting.

EXTENSION REQUEST & ANALYSIS

Pursuant to LDR Section 2.4.4(F)(1-3), extensions may be granted to the previously approved application, pursuant to the following:

(1) General:

- (a) A written request for an extension must have been received by the City at least forty-five (45) days prior to the expiration date;
- (b) The letter must set forth the basis and reason for the extension;
- (c) The extension shall be considered by the same body which granted the original approval;
- (d) The extension, if granted, shall be for eighteen months unless otherwise stated;

The applicant initially submitted the subject extension request concurrent with the Site Plan Extension request on November 2, 2015, prior to receiving the "State of Emergency" extension. The reason for the request is that construction has not started "due to lack of funding" until the site plan is certified. The applicant has requested a twenty-four month extension, which if approved, would extend the approval to July 15, 2018.

The extension is to be considered by the HPB. While there are associated waivers that were approved by the City Commission, the waivers do not require extension and are valid for the same time as the site plan approval.

As no construction has occurred, this extension request is to be considered pursuant to LDR Section 2.4.4(F)(3) "No Construction" as follows:

- (3) **No Construction**: When the project has not commenced construction, or construction has not been deemed substantial, the request for extension shall be considered pursuant to the following:
 - (a) The project shall be evaluated pursuant to the land development regulations in effect at the time of consideration of the extension request and shall comply with such current requirements;
 - (b) Additional submittal information including a new application and copies of previously submitted material may be required;
 - (c) The granting body must make findings pursuant to 2.4.4(B);
 - (d) The granting body may impose additional conditions of approval pursuant to 2.4.4(C) to insure compliance with any applicable changes to regulations or changes in circumstances which have occurred since the previous approval.

The criteria noted above are considered as follows:

- (a) At the time of review, the Board felt that the proposal complied with the LDRs and made positive findings upon approving the site plan with conditions; no LDR Sections which would impact the approved site plan have been revised since the 2013 extension.
- (b) The conditions of approval have been addressed as evident on revised plans that were submitted.
- (c) LDR Section 2.4.4(B) requires positive findings of Article 3.1. The Board made these positive findings upon approval of the development proposal;
- (d) At the time of approval, the Board incorporated conditions of approval to provide for a proposal which complied with the required review criteria. Additionally, Staff has no further recommendations for additional revisions to the plans.

ASSESSMENT & CONCLUSION

The 2013 extension request letter noted that recent "economic events" and the difficulty "to secure funding" were the reasons behind the project being on hold. The letter also specified that a "new partner" had joined the project and, therefore, the economics of the project are "no longer an issue." The request was not unreasonable in that the property owner had shown a good faith effort by submitting plans which address the conditions of approval shortly after receiving the initial approval, and subsequent revisions have also been addressed. The only outstanding issue of a Unity of Title A Unity of Title has been required for the project to ensure that the valet parking lot at 104 SE 1st Avenue was not a "stand alone" parking lot which is not permitted within the OSSHAD zoning district. The paperwork for the Unity of Title has been submitted, and after much internal discussion and review, the applicant is able to submit the Unity of Title to the Clerk of the Circuit Court of Palm Beach County for recordation, and the plans may be certified.

As previously noted, the Board approved the application with conditions based upon positive findings with respect to the Land Development Regulations, the Delray Beach Historic Preservation Design Guidelines, and the Secretary of the Interior's Standards for Rehabilitation. Further, there have not been any significant LDR amendments which impact the subject development. As a result, the development extension request should not be affected as an appropriate and compatible development is being provided.

Based on the analysis given and the justification request statement, positive findings can be made with respect to LDR Sections 2.4.4(D) and (F)(1) & (3) to extend the site plan modification approval.

ALTERNATIVE ACTIONS

- A. Postpone with direction.
- B. Move approval of the request for an extension of the Certificate of Appropriateness and Class V Site Plan (2011-178) for the property located at **27**, **31**, **35**, **and 43 South Swinton Avenue and 104 SE 1st Avenue (aka Swinton Social), Old School Square Historic District**, by adopting the findings of fact and law contained in the staff report, and finding that the request, and approval thereof, meets criteria set forth in Sections 2.4.4(D) and (F)(1) & (3) of the Land Development Regulations.
- C. Move denial of the request for an extension of the Certificate of Appropriateness and Class V Site Plan (2011-178) for the property located at 27, 31, 35, and 43 South Swinton Avenue and 104 SE 1st Avenue (aka Swinton Social), Old School Square Historic District, by adopting the findings of fact and law contained in the staff report, and finding that the request, and approval thereof, does not meet criteria set forth in Sections 2.4.4(D) and (F)(1) & (3) of the Land Development Regulations.

RECOMMENDATION

27, 31, 35, and 43 South Swinton Avenue

Approve the request for an extension of the Certificate of Appropriateness and Class V Site Plan (2011-178) for the property located at **27**, **31**, **35**, **and 43 South Swinton Avenue (aka Swinton Social)**, **Old School Square Historic District**, by adopting the findings of fact and law contained in the staff report, and finding that the request, and approval thereof, meets criteria set forth in Sections 2.4.4(D) and (F)(1) & (3) of the Land Development Regulations, subject to the following conditions of approval:

- 1. That the extension be granted for 24 months, with an expiration date of July 15, 2018; and,
- 2. That the historic structures be maintained in a safe and secure manner, and that all window or door openings which may be broken or open, be covered up and painted to match the buildings.

104 SE 1st Avenue

Approve the request for an extension for the Certificate of Appropriateness and Class V Site Plan (2011-178) for the property located at **104 SE 1**st **Avenue (aka Swinton Social), Old School Square Historic District**, by adopting the findings of fact and law contained in the staff report, and finding that the request, and approval thereof, meets criteria set forth in Sections 2.4.4(D) and (F)(1) & (3) of the Land Development Regulations, subject to the following conditions:

- 1. That the extension be granted for 24 months, with an expiration date of July 15, 2018; and,
- 2. That an agreement with the City to provide the required parking as valet on SE 1st Avenue be approved by the City Commission and recorded prior to issuance of a Certificate of Occupancy.

Report Prepared By: Amy E Alvarez, AICP, Senior Planner

HISTORIC PRESERVATION BOARD CITY OF DELRAY BEACH STAFF REPORT

MEETING DATE:

November 16, 2011

ITEM:

27 – 43 South Swinton Avenue & 104 SE 1st Avenue, Swinton Social, Old School Square Historic District – Certificate of Appropriateness, Class V Site Plan, and Waivers (2011 – 178) for the establishment of spa and restaurant uses, and a valet parking lot.

GENERAL DATA:

Owner:..... BBC Holdings, LLC

Agent:..... Currie Sowards Aguila Architects

Location: 27 – 43 South Swinton Avenue;

104 SE 1st Avenue

Property Size:..... South Swinton Avenue: .74 acres

SE 1st Avenue: .18 acres

Future Land Use Map:... Other Mixed Use (OMU)

Current Zoning:..... Old School Square Historic Arts

District (OSSHAD)

Adjacent Zoning:..... South Swinton Avenue

North: OSSHAD South: OSSHAD

East: OSSHAD West: OSSHAD

SE 1st Avenue

North: OSSHAD South: OSSHAD

East: Central Business District (CBD)

West: OSSHAD

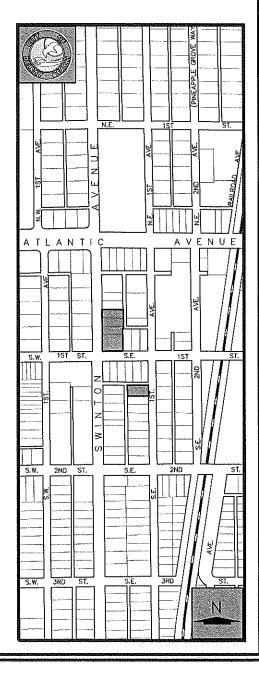
Proposed Land Use:.... South Swinton Avenue: Spa and

Restaurant

SE 1st Avenue: Valet Parking Lot

Water Service: Existing on site

Sewer Service: Existing on site



ITEM BEFORE THE BOARD

The item before the Board is consideration of a Certificate of Appropriateness, Class V Site Plan, and associated waivers for the adaptive reuse and development of the properties located at 27, 31, 35, and 43 South Swinton Avenue and 104 SE 1st Avenue (aka Swinton Social), Old School Square Historic District, pursuant to Land Development Regulations (LDR) Section 2.4.5(F):

The properties at 27, 31, 35, and 43 South Swinton Avenue are located on the east side of South Swinton Avenue, between East Atlantic Avenue and SE 1st Street; the property at 104 SE 1st Avenue is located on the west side of SE 1st Avenue approximately 150' south of SE 1st Street.

BACKGROUND

27 - 43 South Swinton Avenue

The subject properties consist of Lots 11, 12, 13, 14, and 15, Block 69, Town of Delray Beach. The 0.74-acre property presently contains four one-story, frame vernacular, single-family residences constructed between 1937 and 1950, which have been abandoned for a number of years. One accessory structure (garage) remains on the southernmost property.

In 2003, a COA and Class V Site Plan application were approved by the Board. The approved development was for the adaptive reuse of the residences to retail, office, and restaurant. However, the approval expired, and no improvements to either the historic structures or on the property have occurred.

104 SE 1st Avenue

The subject property consists of Lot 11, Block 70, Town of Delray Beach and measures approximately .18 acres. A one-story, multi-family dwelling was constructed on the property in 1952; it was demolished in 2004. The property has since remained vacant.

Both properties are zoned Old School Square Historic Arts District (OSSHAD), and are located within the Old School Square Historic District. The four residences on South Swinton Avenue are classified as contributing in the historic district.

PROJECT DESCRIPTION

The subject proposal is for the adaptive reuse of the four historic structures from single-family residence to spa and restaurant, with the construction of a valet parking lot at the property on SE 1st Avenue. Details of the proposed development are as follows:

27 - 43 South Swinton Avenue

27 South Swinton Avenue

The single-family dwelling at 27 South Swinton Avenue was constructed in 1950 and contains an open front porch connected to a carport with bricks columns. The exterior finish is of wood siding with decorative vertical siding in the front gable end. Original 6/1 wood windows remain. Alterations to this structure consist of the following:

- Enclosure of carport with wood siding to match existing;
- Brick columns to remain;

- Set of 6/1 aluminum, impact rated windows installed on front elevation of "carport";
- Replacement of all other existing windows with 6/1 aluminum, impact rated windows;
- Addition of plank shutters on front window; and,
- Replacement of single-tab asphalt roof with decorative metal roof tiles.

The use of #27 will be changed from single-family to spa, and will have the following as accessory uses:

- Raised "Smoothie/Juice Bar"
- Jacuzzi
- Swimming Pool: Measures 100' x 15', and is 5' deep, with a stepped entry area at each end, and two centrally located "shallow swimouts"

The Spa hours will be limited to daytime hours only, seven days a week. The associated pool will also only be available for use during daylight hours; it will serve as a lighted feature during the evenings and add ambience to the adjacent restaurants on the property. A large trellis will also be installed which covers the area at the rear exit of the bulding.

31 South Swinton Avenue

The single family residence at 31 South Swinton Avenue was constructed in 1937 and contains an open carport on the north side. The wood siding and gabled covered entry will remain. The existing jalousie windows will be removed and replaced with 6/1 aluminum, impact rated windows. The current jalousie front door will be replaced with a ten-light single French door. The existing asphalt roof will be replaced with decorative metal tiles. The carport will be filled in and finished to match the siding and window configurations of the building.

The use of #31 will be changed from single-family residential to restaurant, and is referred to as "Grille" in the proposal.

35 South Swinton Avenue

The single family residence at 35 South Swinton Avenue was constructed in 1938 and contains wood siding on the exterior. Proposed alterations include the rebuilding of a non-contributing addition on the south side of the building, removal of an entry awning, addition of shutters, and replacement of existing jalousie front door with a ten-light single French door.

The use of #35 will be changed from single-family residential to restaurant, and is referred to as "Kitchen" in the proposal.

43 South Swinton Avenue

The single family residence at 43 South Swinton Avenue was constructed in 1941 and is the largest of the four historic structures. This structure was significantly damaged by fire earlier this year. The window style of this building significantly differs from the typical 6/6 and 6/1 configurations seen on the other three structures as it contains 3/3 windows. The open carport will be filled in to match, and will contain a single 3/3 window. The front door will be replaced with a ten-light single French door, and the existing chimney will remain. The south elevation will be the most altered with the addition of folding windows which will provide an area for seating from the outside, yet interior to the building. This seating is adjacent to the bar located inside. A rear addition consisting of an operable window wall with decorative support columns is also accommodated. The roof of the rear addition connects to an outdoor "poolside bar" which is open and covered with a thatched roof.

Additions between each of the structures consists of a canvas, shed-style roof covering for open-air dining along the rear of the café and kitchen. The additions between each of the buildings measures approximately nine feet (9') in height and are significantly setback from the front elevations of the historic structures. The front wall of the additions is finished with stucco without any openings and will house the coolers and freezers, while also providing screening from the "spa courtyard" located between #27 and #31. Additional site improvements consist of the following:

- Railings throughout, including the dining areas and handicap ramps, consisting of a latticed wood design;
- Decorative fountain and water wall is proposed at the southeast area of the property, adjacent to the entry from SE 1st Street, and the check-in/towel pavilion;

A 6' high stucco-finished, masonry wall will be located along the perimeter of the property and around the dumpster enclosure at the rear (along the north/south alley). The wall will also connect and/or match to portions of the accessory structures (aka pavilions) throughout the rear of the site, such as the restroom pavilion at the northeast area of the property, and restroom and check-in pavilion at the southeast area of the property. The accessory structures will also contain thatched roofs. All gates within the stucco wall have an arched top and are made of wood.

A one-way drive aisle with 7 parking spaces is also proposed which will replace the four driveways which run directly up to the carports. The drive aisle ingress is located in front of #43, runs north and the length of the frontage of the site, with the egress located in front of #27.

The remaining accessory structure is in significant disrepair and is proposed to be demolished as part of this request.

A significant amount of landscaping is proposed throughout the site, including planters around the swimming pool, and in between each of the historic structures, to further emphasize their entries. A wide strip of sand runs along the east edge of the property.

104 SE 1st Avenue

The property is presently vacant and proposed to be developed as a valet parking lot with 26 parking spaces, a 22' wide drive aisle (see waivers), and landscaping along the perimeter. The parking lot material is pervious pavers. A wooden, 3' high picket fence painted white is proposed along the perimeter. The parking lot will be tied to the main site on South Swinton Avenue via a Unity of Title.

Waiver Requests

A total of four waiver requests have been submitted:

- 4.4.24(G)(3), which prohibits all parking to be located between the structure and the street, by permitting 7 parallel parking spaces to be located between the existing structures and South Swinton Avenue.
- 4.5.1(E)(3)(a)1.c., which limits heights of fences and walls to 4' within the side street setbacks, by permitting a 6' wall within the side street setback (SE 1st Street).
- 4.5.1(E)(3)(b)2., for relief from the number of parking spaces required (reduced from 53 to 33 provided on-site) upon presentation of confirmation that adequate parking for the proposed use may be achieved by alternate means, i.e. valet parking agreements.
- 4.6.9(F)(3)(d), which requires a drive aisle width of 24', by permitting a drive aisle width of 22' for the valet lot.

4.6.9(F)(3)(i), which requires a perimeter landscape buffer of 10', by permitting a
landscape buffer varying from 1'6" to 6'4", as indicated on the plan for the valet lot.

The COA, Class V Site Plan, and associated waivers are now before the Board for consideration.

SITE PLAN & DEVELOPMENT STANDARDS

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

Article 4.4, Base Zoning District

Section 4.4.24, Old School Square Historic Arts District (OSSHAD)

(A)(1-4), Purpose and Intent: The OSSHAD is a mixed use district which is intended to provide for mixed uses of residential, office, and commercial activities, with an emphasis on the arts, that will encourage the restoration or preservation of historic structures and, yet, maintain and enhance the historic and pedestrian scale of the area; stimulate greater awareness and pride in the City's architectural heritage, and create an atmosphere and feeling of "Old Delray Beach"; Improve the environmental quality and overall livability of this Historic District and stabilize and improve property value therein; and, Allow uses which promote preservation and adaptive reuse of all structures within the District.

STAFF COMMENT:

The proposal is the adaptive reuse of four contributing structures within the Old School Square Historic District. Their reuse is not only significant due to their classification in the historic district, but also because they are within the first block off of East Atlantic Avenue. They are highly visible and at a key location capable of igniting economic growth in this area which, with the exception of the Sundy House, has not experienced the revitalization of Delray Beach as has much of Atlantic Avenue. Further, their reuse will maintain a pedestrian friendly scale along the historic streetscape. Therefore, the "Purpose and Intent" of the OSSHAD zoning district has been met and positive findings can be made.

(B)(7-8), Principal Uses and Structures: Restaurants of a sit down nature such as a cafe, snack shop, full service dining but excluding any drive-in and/or drive-through facilities or features, and the providing of personal services such as barbershops, beauty shops, salons, cosmetologist are allowed within the OSSHAD as a permitted use.

STAFF COMMENT:

The proposal is for the adaptive reuse of these structures to spa (personal services) and restaurant, which are permitted principal uses within the OSSHAD zoning district. It should be noted that any outdoor dining at night will require Conditional Use approval, including sidewalk café seating, which is not a part of this current request.

(C)(1, 4 & 5), Accessory Uses and Structures Permitted: Swimming pools, pool houses and covers/enclosures, parking lots, and outdoor dining areas which are accessory or supplemental to a restaurant or business use, provided the operation of the outdoor dining area is limited to daylights hours.

The proposed swimming pool and outdoor dining (during daylight hours) are permitted as accessory uses, as noted above.

(F), Development Standards, the development standards as set forth, for the OSSHAD

District, in Section 4.3.4 apply.

District, in Section 4.3.4 app	JIY.		
	<u>Standard</u>	<u>Proposed</u>	Notes
South Swinton Avenue	NINGA JERUPA DI NAMA KANDA KANDA KANDA KANDA JA		
Lot Coverage (Max)	40%	33.6%	Includes Buildings, Cooler, Freezer, Jacuzzi, Pool, and other accessory structures.
Setbacks		***************************************	
Front (West)	25'	30' – 37'	Front setbacks exist; all additions are setback from the existing wall planes.
Side Interior (North)	7'6"	6' - 7'6"	Encroachment exists on north building; New construction complies with setback requirement.
Side Street (South)	15'	15' - 23'	Towel Pavilion (accessory structure) is situated on the side street setback line; south most structure (#43) exists at 23' from side street property line.
Rear (East)	10'	7'6" — 10'	Restroom Pavilion and Check-In Pavilion are proposed at 7'6". See Staff Comment below.
Open Space (Min)	25%	26.7%	
SE 1 st Avenue			
Lot Coverage (Max)	40%	N/A	No buildings on site.
Setbacks	նահեհ հետևանքում ավահնասքահ կցցիավ անդամգական անդիադարց քաղաքացի արդագ	a Proposition (1977) (1974) (1974) (1974) (1974) (1974) (1974) (1974) (1974) (1974) (1974) (1974) (1974) (1974)	
Front (East)	25'	N/A	No buildings on site.
Side Interior (South)	7'6"	N/A	No buildings on site.
Side Street (North)	15'	N/A	No buildings on site.
Rear (West)	10'	N/A	No buildings on site.
Open Space (Min)	25%	14.9%	See Staff Comment Below.

STAFF COMMENT:

The chart above illustrates compliance with the required development standards with the exception of the rear setback on the South Swinton Avenue property and the open space on the SE 1st Avenue property (valet parking lot).

The restroom and check-in pavilions are situated 7'6" from the rear property line, whereas a setback of 10' is required. A variance request has not been submitted and therefore, a condition of approval is added that the locations be revised to comply with the 10' setback requirement.

The open space requirement for the Valet Parking Lot on SE 1st Avenue has not been met. Therefore, either a variance to allow a reduction of the requirement is needed (requiring further HPB review and approval) or a revision to the plan to provide the required open space is needed. These options to address the open space deficiency have been added as a condition of approval.

(G), Supplemental District Regulations: Supplemental district regulations as set forth in Article 4.6 are applicable.

STAFF COMMENT:

A review of Article 4.6 is provided further in this report.

(G)(3): All parking, except for single family homes and duplexes, shall be located in the side or rear yard or adjacent to a rear alley. No such parking shall be located in the area between any street and the closest building or structure. Where there are existing buildings or structures, the Historic Preservation Board may waive this requirement during the site plan review process, provided that it is determined that compliance is not feasible and that the character of the area will be maintained. If approved, such parking shall be substantially screened from off-premises view by a hedge or decorative fencing.

STAFF COMMENT:

The proposal includes the provision of seven (7) parallel parking spaces at the front of the property between the existing structures and South Swinton Avenue. Therefore, a waiver to this requirement has been submitted and is analyzed further in this report. As a result, positive findings can be made, subject to approval of the waiver request.

If approved, substantial screening is required; the proposal includes a three foot (3') high picket fence running parallel to the parking and South Swinton Avenue in addition to ten (10) Foxtail Palms evenly dispersed throughout the landscape area and along the picket fence. The proposed screening should create a sufficient buffer between the parking area and the streetscape, as the desire is not to completely obscure the visibility of the historic structures. The proposed screening may be further considered with the waiver request.

While there are no buildings on the associated property located on SE 1st Avenue, there is a significant amount of screening provided via landscaping and fencing as a means of mitigating the visual impact on the streetscape.

(G)(4)(a-b), Parking Requirements: All non-residential uses, with the exception of restaurants, and business and professional offices, shall provide one parking space per 300 sq.ft. of total new or existing gross floor area being converted to non-residential use. Restaurants shall provide six spaces per one thousand square feet of total new or existing floor area being converted to restaurant use.

STAFF COMMENT:

The total parking requirement for the proposed spa and restaurant uses is 53 parking spaces and may be calculated as follows:

Use	Square Feet	Requirement	Required Spaces
Spa	3,922.7	1 space / 300 square feet	13.1
Restaurant	6,732	6 spaces / 1,000 square feet	40.3
		TOTAL	53.4

As previously noted, seven (7) spaces are provided on-site, and the valet parking lot on SE 1st Avenue provides twenty-six (26) spaces, for a total of thirty-three (33) parking spaces. The balance of twenty (20) spaces will be accommodated off-site through additional valet parking services, both of which are subject to approval of a waiver by the City Commission. This waiver is analyzed further in this report.

Article 4.6, Supplemental District Regulations Section 4.6.5, Walls, Fences, and Hedges:

(A), Relationship to Travelways: Walls, fences, hedges, or similar structures shall not be erected in the public right-of-way nor close to the public right-of-way in a manner which will obstruct visibility or otherwise interfere with the proper flow of vehicular traffic, pedestrian safety, or the provision of services. Where deemed to create a sight obstruction, fences, hedges and walls shall be maintained at a height not exceeding three feet. On corner lots and at points of access, additional restrictions requiring provision of adequate sight triangles are provided in Section 4.6.14(A).

STAFF COMMENT:

All proposed fences and walls measure three feet (3') in height when located within a site visibility triangle. In addition, all associated landscaping is proposed to be in accordance with this requirement. Therefore, positive findings can be made.

(E), Masonry Walls: Masonry walls located in the front and street side yards shall be screened by landscape material that is to be maintained at a minimum height equal to half of the height of the wall. Landscape materials must be of the type that will reach the required height within two years of planting.

STAFF COMMENT:

The masonry wall proposed adjacent to SE 1st Street on the South Swinton Avenue properties is located within the side yard setback and measures six feet (6') in height. A significant amount of landscaping is proposed in front of it and along the south property line which will integrate it into the site, assuring that the wall does not appear to stand alone. The surrounding landscaping consists of Foxtail Palms and a mix of shrubs.

(F), <u>Setbacks</u>: Fences and walls which are required to be landscaped shall be set back a minimum of two feet (2') from the property line to provide adequate area for vegetation to mature. Additional restrictions with respect to setbacks are provided in Section 4.6.16(3)(a).

STAFF COMMENT:

The 6' masonry wall is located 1' from the south property line; however, screening is required and, therefore, the wall must be setback an additional 1' from the property line to the meet the subject requirement of 2'. Adequate screening is already proposed.

Due to concerns over the impact of the valet parking lot on the adjacent residential uses, the proposed three foot (3') picket fence which runs along the perimeter of the site should be increased to a height of six feet (6'). In order to provide sufficient screening, the fence type must be revised accordingly, requiring that it be opaque and screened by "hedging to be maintained at the full height of the fence" pursuant to Section 4.6.5(D). Therefore, these revisions are noted as conditions of approval.

Section 4.6.8, Lighting: All developments/redevelopments are encouraged to utilize energy efficiency lighting.

(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. The following chart indicates maximum heights allowed for luminaries.

(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.

(A)(3), **Illumination Standards**: The applicable illumination standards are as follows:

	Maximum F	oot Candles	Minimum Foot Candles		
	Required	Provided	Required	Provided	
South Swinton Avenue	5-12	6.6	1	.1	
SE 1 st Avenue	4 – 12	4.1	.3 – 1	.8	

STAFF COMMENT:

Decorative wall mounts sconces are proposed throughout the site on South Swinton Avenue. However, the aesthetic of the proposed sconces should be revised to one which is more relevant to the historic property. The placement of the sconces and site lighting are appropriate and adequate. Further, the likelihood of spillover onto adjacent sites will be minimal.

The proposed lighting for the valet parking lot is a decorative white, single-arm post, measuring approximately 16' 7" in height with the fixture directed downward to reduce or illuminate spillover onto adjacent properties. Five (5) fixtures are proposed, one on the west side, and two on both the north and south sides of the property. The proposed locations will adequately and evenly disperse the necessary lighting for the valet parking attendants.

The proposed lighting plan for each site generally complies with the minimum requirements and do not exceed the maximums, with the exception of a few areas on each plan. For example, on the South Swinton Avenue properties, the lower lighting levels are attributed to the accent lighting provided for landscaped areas, whereas the lower levels in the parking area are located off-site and, appropriately maintaining the higher levels on site.

With respect to the proposed lighting, positive findings can be made. However, a condition of approval has been added that a more decorative and appropriate fixture be provided which relates to the aesthetic of the historic property.

Section 4.6.9, Off-street Parking Regulations

(D), Design Standards, all parking spaces which are created in order to fulfill requirements of this Section (i.e. required parking spaces) shall conform to the design standards of this subsection.

(D)(3)(a-b), Point of Access to the Street System, Maximum/Minimum Width, the point of access to a street or alley shall be a maximum of twenty-four feet (24') unless a greater width is specifically approved as a part of site and development plan approval...the point of access to a street or alley shall not be less than:24' for a normal two-way private street or parking lot driveway aisle, or 20' for a private driveway which has less than 200 ADT.

STAFF COMMENT:

The proposed drive aisle width on the valet parking lot measures 22', whereas the requirement is 24' as it is the point of access to the lot from SE 1st Avenue. Therefore, relief to this reduce this requirement has been submitted and, positive finding can be made subject to approval of the waiver request (analyzed on page 17).

(D)(4)(c), Maneuvering Area, Aisle Width, Space Width, Dead-end Parking Bays are discouraged, but when site conditions dictate that there be dead-end parking bays, they shall be designed so that there is a 24' wide by 6' deep maneuvering area at the end of the bay. This maneuvering area shall not encroach upon required landscape areas.

STAFF COMMENT:

A dead-end parking bay within the Valet Parking lot on SE 1st Avenue has been provided and measures 6' x 22'. The reduced width is a result of the reduced drive aisle width. A waiver to the drive aisle width requirement has been submitted and is analyzed further in this report. Therefore, compliance with this regulation is subject to approval of the aforenoted waiver.

- (F)(3), Special Provisions, Valet Parking, a parking facility with a valet service or operator which allows for attendants to receive, park and deliver the automobiles of occupants, tenants, customers, invitees, and visitors, including tandem parking may be utilized in lieu of the requirements of this Section provided the following requirements are complied with:
- (a) Any required valet or tandem parking utilized in lieu of the parking requirements set forth in this section shall be governed by an agreement with the City (in such form as may be approved by the City Attorney), and recorded in the public records of Palm Beach County. The agreement shall constitute a covenant running with the land binding upon the owners, heirs, administrators, successors, and assigns. The agreement may be released by the City Commission at such time that site plan approval is obtained for an alternative parking arrangement which satisfies the parking requirements for said use.
- (b) The required queue is to be provided on private property as opposed to public rights-of-way.
- (c) There is a parking professional available for the vehicle retrieval during business hours.
- (d) The dimensions for valet and tandem parking spaces shall be a minimum of eight and one-half feet (8'6") wide and sixteen feet (16') deep with a maximum stacking of two (2) vehicles along with a drive aisle of twenty-four feet (24').
- (e) Valet parking may be utilized to conform with the number of handicap accessible parking spaces provided that:
 - (i) At least two (2) handicapped accessible spaces are provided adjacent to the vehicle queuing area for those vehicles which cannot be operated by the parking professional; and,
 - (ii) The disabled person's vehicle may be safely operated by aforementioned parking professional.
- (f) Valet drop-off/queuing area must be provided with a minimum length of 100'. Greater queuing area may be required as a condition of site plan or conditional use approval based upon the intensity of the use. The length of the queuing area may be reduced when supported by a traffic study.
- (g) Interior landscape areas required by Section 4.6.16 shall not be required if landscape requirements which would otherwise have been installed on the interior of the parking lot are evenly distributed along the perimeter of the parking area or facility and subject to the following requirements:
- (i) That a 10' perimeter landscape buffer consisting of a hedge and trees thirty-feet (30') on center be provided.

The proposed valet parking lot on SE 1st Avenue is required to be in compliance with the subject Section. An agreement with the City must be recorded, as the 26 spaces being provided on this site are <u>required</u> spaces. This has been added as a condition of approval. Also, the queue location which must illustrate the provision of a 100' long queuing area needs to be shown. This has also been added as a condition of approval.

As previously noted, the required 24' wide drive aisle width has not been provided, and a waiver to reduce the width to 22' has been requested. Positive findings to this requirement can be made subject to the approval of the waiver request (analyzed on page 17).

Two (2) handicap spaces have been provided on the South Swinton Avenue site as part of the seven (7) spaces provided on-site.

Due to the existing site constraints with respect to its width (62'), the 10' landscape buffer has not been provided. The lot width will be further reduced as a result of the required 2'6" dedication along the east/west alley. Therefore, the provided landscape buffer measures approximately 3' along the south, 2'6" along the north, and 6' at the east and west borders. A waiver to reduce the landscape buffer has been submitted. Therefore, positive findings can be made subject to approval of the waiver (analyzed on page 17).

Section 4.6.10, Off-Street Loading

- (A), Rule, space for accommodating the unloading of merchandise, inventory, materials, supplies, and produce shall be provided on the site where a use which requires such items is located. Provisions for such (un)loading areas shall be shown on the site and development plan under which the site is to be developed.
- **(B), Determination of Adequacy,** the body approving the site plan associated with the proposed development shall determine the adequacy of the provisions which are made for (un)loading. In making such a determination, the standards and guidelines of this Section shall be considered. The final determination may result in accommodations in excess of or less than such guidelines, or in the waiving of any such accommodations.

STAFF COMMENT:

All commercial uses require loading and unloading for the delivery of goods. Therefore, the provision of an off-street loading area is required. The applicant has indicated that "deliveries will only be done on off-hours." While this is acceptable, it is noted that other area businesses receive deliveries during their off-hours, yet the delivery vehicles are unable or unwilling to park off-street, thereby negatively impacting area traffic. Therefore, it is stressed that all loading/unloading and deliveries occur off-street and on the subject property without impacting the flow of traffic within the drive aisle.

Section 4.6.16, Landscape Regulations

(A), Purpose, the objective of this article is to improve the appearance of setback and yard areas in conjunction with the development of commercial, industrial, and residential properties, including off-street vehicular parking and open-lot sales and service areas in the City, and to protect and preserve the appearance, character and value of the surrounding neighborhoods and thereby promote the general welfare by providing minimum standards for the installation and maintenance of landscaping.

The overall plan provides an array of aesthetically pleasing and appropriate landscaping with variations in types, heights, and colors. The proposed plantings will complement the properties and be very inviting to the public.

The proposed landscaping for the South Swinton Avenue properties includes many tropical, flowering trees, large specimen palm trees, and varying types of colorful and fragrant shrubs and ground covers. A substantial amount of native plant material, including sea grape, dwarf firebush, dune sunflower, and various ferns are have been strategically planned to create a very colorful and native paradise.

The proposed landscaping on the valet parking lot site consists of 100% native Florida-friendly plant material. The two (2) large existing shade trees will remain on site and will provide substantial habitat and refuge for local wildlife, while striving to maintain the existing vertical canopy of the property. The southern perimeter landscape buffer has been heavily planted with medium sized accent trees as well as lower level dense hedges to affectively screen the parking lot from the adjacent residential lot.

Technical review for compliance with the subject Landscape Regulations has been found to be complete, subject to approval of the applicable waivers.

Article 5.3, Dedication and Impact Requirements Section 5.3.1, Streets (Rights-of-Way)

(D)(1), Right-of-Way Dimensions, right-of-way shall be provided for Principal Arterials and Minor Arterials as shown for ultimate right-of-way width in Table T-1 of the Transportation Element of the Comprehensive Plan.

(D)(2), Right-of-Way Dimensions, the following right-of-way width is required for the category of other streets as identified, except as otherwise provided in the Table T-1 of the Transportation Element:

STREET TYPE	WIDTH
Local Commercial / Industrial Street (South Swinton Avenue)	60'
Local Residential Street (SE 1st Street & SE 1st Avenue)	
Without Curb and Gutter	60'
With Curb and Gutter	50'
Alleys	20' Minimum

(D)(3), Corner Clip, a right-of-way dedication will be required at all intersections in the Central Business District (CBD). This right-of-way dedication will consist of an area of property located at the corner formed by the intersection of two or more public rights-of-way with two sides of the triangular area being 20 feet in length along the abutting public right-of-way lines. Further, a dedication of 10 feet shall be required along both sides at the intersection of an alley and right-of-way. These areas are to be measured from their point of intersection, and the third side being a line connecting the ends of the other two lines. This right-of-way dedication will be referred to as a "corner clip" and is provided to ensure adequate right-of-way for the safe movement of pedestrians in the CBD. The request for relief from the corner clip requirement may granted by the City Engineer.

At its meeting of August 25, 2011, the DSMG reviewed the existing rights of way in accordance with the subject LDR Section and the Comprehensive Plan and determined the following:

- * South Swinton Avenue: Retain existing width of 66'
- * SE 1st Street: Dedicate 1' of right of way on north side
- * South Swinton Avenue/SE 1st Street: Dedicate a 20' x 20' corner clip at the northeast corner
- * North/South Alley, Block 69: Dedicate 2' of right away along property
- * SE 1st Avenue: Dedicate 5' of right-of-way on west side; no change in sidewalk required
- * East/West & North/South Alleys, Block 70: Dedicate 2'6" of right-of-way along property

The aforenoted dedications have been indicated on the plans and the development has been proposed accordingly. The acceptance of the subject dedications will be required prior to issuance of a building permit for the subject development.

Article 7.1, Building Regulations Section 7.1.3, Building Code

(B)(1), Amendments and Additions to Code, Unity of Title Declaration, When it is found necessary in order to obtain a building site plan of sufficient size and dimension to meet the minimum applicable yard requirements, setback distances or lot area that separate lots, plots, parcels or portions thereof, must be combined, added or joined together the applicant for such building permit shall first place on file or record as a public document in the official records in the office of the Clerk of the Circuit Court of Palm Beach County, an instrument hereinafter referred to as a Unity of Title Declaration. Such Unity of Title Declaration shall be in a form and content sufficient to unequivocally state that the aforesaid combination of separate lots, plots, parcels, or portions thereof shall be regarded as unified under one title as an indivisible building site. Where a Unity of Title has been recorded and the owner abandons the project before utilizing the Unity of Title, the Chief Building Official is authorized to release the Unity of Title.

STAFF COMMENT:

The two sites under consideration for this approval (27-43 South Swinton Avenue and 104 SE 1st Avenue) must be joined together because they are not physically connected. Therefore, in order to bind the valet parking lot with the primary parcel on South Swinton Avenue, a Unity of Title Declaration is required, the recordation of which is added as a condition of approval.

Site Plan and Engineering Technical Items

The outstanding technical review items are as follows:

- 1. All kitchen vents and rooftop equipment require screening. While a note indicating "all vents and equipment shall be screened" has been provided, the type of screening and and location remain subject to review for compliance. Therefore, this has been added as a condition of approval with the note that Staff may opt to have HPB review the screening if it is deemed inappropriate and incompatible with the historic site.
- 2. Lighting within the rear of the property of the Spa has not been indicated. While this may be added within the certification set, its compliance with Section 4.6.8 and CPTED standards is still subject to review.
- 3. Properly indicate the location of all air conditioning units, generators, etc on the site plan, and ensure compliance with setbacks, heights, and screening requirements.

These items have been added as conditions of approval.

Technical Review: Building Department

- 1. Seating at the juicebar needs to be fixed to avoid a dangerous condition during emergency.
- 2. Adequate access from the rear gate to the paved area is not acceptable through the sand. A paved walkway is required.
- 3. Egress thru nano-style doors from café is not acceptable and proper means of egress must be provided to comply with fire safety requirements.

These items have been added as conditions of approval.

LDR SECTION 4.5.1, HISTORIC PRESERVATION DISTRICTS AND SITES

Article 4.5, Overlay and Environmental Management Districts Section 4.5.1, Historic Preservation Sites and Districts

(E), **Development Standards**, All development regardless of use within individually designated historic properties and/or properties located within historic districts, whether contributing or noncontributing, residential or nonresidential, shall comply with the goals, objectives, and policies of the Comprehensive Plan, these regulations, the Delray Beach Historic Preservation Design Guidelines, and the Secretary of the Interior's Standards for Rehabilitation.

STAFF COMMENT:

In accordance with the above, the aforenoted criteria has been analyzed throughout this report.

(E)(2)(b)1.-3., Major and Minor development, Major development shall be considered new construction in all historic districts; the construction, reconstruction, or alteration of in excess of twenty-five percent (25%) of the existing floor area of the building, and all appurtenances; the construction, reconstruction, or alteration of any part of the front façade of an existing contributing residential or non-residential structure and all appurtenances.

STAFF COMMENT:

The subject proposal is considered "Major Development" as it consists of new construction, reconstruction in excess of 25% of the existing floor area, and involves the alteration of the front facades of four historically significant structures within the Old School Square Historic District. Therefore, the proposal has been reviewed accordingly.

(E)(3)(a)1.c., Appurtenances, Fences and Walls, Fences and walls over four feet (4') shall not be allowed in front or side street setbacks.

STAFF COMMENT:

The proposal is in compliance with the subject regulation with the exception of the proposed wall located at the southeast corner of the South Swinton Avenue property. The wall measures 6' in height and a waiver to this requirement has been submitted which is analyzed further in this report.

- **(E)(3)(b)1.a.-f., Parking,** where feasible, alternative methods of meeting minimum parking standards contained in Sections 4.6.9(C)(8) and/or 4.6.9(E), as applicable, shall be explored to avoid excessive use of historic properties and/or properties located in historic districts for parking. Parking lots shall strive to contribute to the historic nature of the properties/districts in which they are located by use of creative design and landscape elements to buffer parking areas from historic structures. At a minimum, the following options shall be considered:
- a. Locate parking adjacent to the building or in the rear.

- b. Screen parking that can be viewed from the public right-of-way with fencing, landscaping, or a combination of the two pursuant to Section 4.6.5.
- c. Utilize existing alleys to provide vehicular access to sites.
- d. Construct new curb cuts and street side driveways only in areas where they are appropriate or existed historically.
- e. Use appropriate materials for driveways, such as concrete poured in ribbons.
- f. Avoid wide driveways and circular drives.

Given the reuse of the historic properties, the proposed on-site parking is appropriate in that it minimally impacts the integrity of the property and assists in maintaining the residential character with the addition of the circular driveway and minimal amount of spaces. Screening with fencing and landscaping has been provided, and two of the existing curb cuts will remain. A waiver (analyzed further in this report) has been submitted with regard to the location of the spaces at the front of the property.

(E)(3)(b)2., Parking, waivers may be granted by the Historic Preservation Board for relief from the number of parking spaces required in Section 4.6.9 upon presentation of confirmation that adequate parking for a proposed use may be achieved by alternate means which are found to be in keeping with the provisions and intent of the Delray Beach Historic Preservation Design Guidelines.

STAFF COMMENT:

A waiver to the provision of the 20 parking space deficiency on-site has been submitted and is analyzed further in this report.

(E)(4), Alterations, in considering proposals for alterations to the exterior of historic buildings and structures and in applying development and preservation standards, the documented, original design of the building may be considered, among other factors.

STAFF COMMENT:

The proposal appears to have taken the original designs into consideration in conjunction with the alterations, as the enclosure of the carports strives to maintain their remaining details and features, such as the brick columns on #27. While not all original details have been kept, their alterations do not compromise the integrity.

(E)(5), Standards and Guidelines, a historic site, building, structure, improvement, or appurtenance within a historic district shall only be altered, restored, preserved, repaired, relocated, demolished, or otherwise changed in accordance with the Secretary of the Interior's Standards for Rehabilitation, and the Delray Beach Historic Preservation Design Guidelines, as amended from time to time.

Standards

A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment. (Standard 1)

The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided. (Standard 2)

Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken. (Standard 3)

Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved. (Standard 5)

Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence. (Standard 6)

Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible. (Standard 7)

New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment. (Standard 9)

New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired. (Standard 10)

STAFF COMMENT:

Overall the proposal is in compliance with the intent of the Standards. The reuse of the properties require changes; however, the necessary changes are not deemed to negatively impact the historic integrity of the property. In accordance with the above, any remaining original windows should be repaired rather than replaced, where possible. Additionally, any siding should also be repaired. This practice is also in keeping with any sustainable standards as new and alternative materials tend to, with time, require additional upkeep or replacement, whereas original materials which have lasted for many years, will continue to last with care. As noted above, chemical or physical treatments are inappropriate and should not be used. Further, the additions that are proposed are in character with the property and are not detracting. Positive findings with respect to the Standards can be made. Further analysis is provided below with the Visual Compatibility Standards.

(E)(8), Visual Compatibility Standards, new construction and all improvements to contributing buildings, structures and appurtenances thereto within a designated historic district shall be visually compatible. In addition to the Zoning District Regulations, the Historic Preservation Board shall apply the visual compatibility standards provided for in this Section with regard to height, width, mass, scale, façade, openings, rhythm, material, color, texture, roof shape, direction, and other criteria set forth elsewhere in Section 4.5.1.

(E)(8)(a)1., Height, Building Height Plane (BHP), the height of proposed buildings or modifications shall be visually compatible in comparison or relation to the height of existing structures and buildings in a historic district for all major and minor development.

(E)(8)(c), Proportion of Openings (Windows and Doors), The openings of any building within a historic district shall be visually compatible with the openings exemplified by prevailing historic

architectural styles of similar buildings within the district. The relationship of the width of windows and doors to the height of windows and doors among buildings shall be visually compatible within the subject historic district.

(E)(8)(e), Rhythm of Buildings on Streets, The relationship of buildings to open space between them and adjoining buildings shall be visually compatible with the relationship between existing historic buildings or structures within the subject historic district.

(E)(8)(f), Rhythm of Entrance and/or Porch Projections: The relationship of entrances and porch projections to the sidewalks of a building shall be visually compatible with existing architectural styles of entrances and porch projections on existing historic buildings and structures within the subject historic district for all development.

(E)(8)(g), Relationship of Materials, Texture, and Color, The relationship of materials, texture, and color of the facade of a building and/or hardscaping shall be visually compatible with the predominant materials used in the historic buildings and structures within the subject historic district.

(E)(8)(h), Roof Shapes, The roof shape, including type and slope, of a building or structure shall be visually compatible with the roof shape of existing historic buildings or structures within the subject historic district. The roof shape shall be consistent with the architectural style of the building.

(E)(8)(j), Scale of a Building, The size of a building and the building mass in relation to open spaces, windows, door openings, balconies, porches, and lot size shall be visually compatible with the building size and mass of historic buildings and structures within a historic district for all development.

(E)(8)(I), Architectural Style, All major and minor development shall consist of only one (1) architectural style per structure or property and not introduce elements definitive of another style.

(E)(8)(m), Additions to Individually Designated Properties and to Contributing Structures in all Historic Districts, Visual compatibility shall be accomplished as follows:

- 1. Additions shall be located to the rear or least public side of a building and be as inconspicuous as possible.
- 2. Additions or accessory structures shall not be located in front of the established front wall plane of a historic building.
- 3. Characteristic features of the original building shall not be destroyed or obscured.
- 4. Additions shall be designed and constructed so that the basic form and character of the historic building will remain intact if the addition is ever removed.
- 5. Additions shall not introduce a new architectural style, mimic too closely the style of the existing building nor replicate the original design, but shall be coherent in design with the existing building.
- 6. Additions shall be secondary and subordinate to the main mass of the historic building and shall not overwhelm the original building.

STAFF COMMENT:

The additions and new accessory structures are in compliance with the Visual Compatibility Standards noted above. The height of all new development complements the existing scale of the historic property and does not overwhelm the existing buildings, as could occur with new development in the downtown on a lot with an existing smaller scale.

The proportion of openings, whether new or existing, replaced, or expanded, is all in keeping with the character and does not detract from the original and historic feeling of the property. Further, the proposal does not impact the historic rhythm of buildings on the street or the rhythm of the entrances. These elements have all been maintained and further emphasized by complimenting them with additional decorative elements, landscaping, and most importantly, the provision of the majority of the improvements to the rear of the property.

The canvas roof of the rear additions is a subtle and appropriate means of adding onto the historic structures, as opposed to a hard roof and complete walls, which add to the mass of the building, regardless of its lower height. The canvas roof will also provide the open atmosphere at the rear to further emphasize the historic structures from an alternative vantage point. The proposed colors are complimentary to the district and maintain the vibrant aesthetic of South Swinton Avenue. The wood siding is to be maintained, and where replaced, it will also be of wood to match the existing in profile.

While the accessory structures are primarily made of thatched roofs and stucco walls, this alternative is not necessarily indicative of an additional architectural style. Rather, it is indicative of the climate in which the property is located and does not create a conflict between differing styles.

As previously noted, all additions have been located to the rear of the property and are secondary and subordinate to the principal structures. Further, the additions and accessory structures do not overwhelm the historic buildings. However, confirmation that the accessory structures, namely the poolside bar, do not exceed the height of the principal structures is needed.

Given the above, positive findings can be made with respect to the Visual Compatibility Standards, subject to compliance with the recommended conditions of approval.

WAIVER REVIEW AND ANALYSIS

Article 2.4, General Procedures

Section 2.4.7, Procedures for Obtaining Relief From Compliance With Portions of the Land Development Regulations,

(B)(5), Waivers, prior to granting a waiver, the approving body shall make a finding 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.

4.4.24(G)(3): All parking, except for single family homes and duplexes, shall be located in the side or rear yard or adjacent to a rear alley. No such parking shall be located in the area between any street and the closest building or structure. Where there are existing buildings or structures, the Historic Preservation Board may waive this requirement during the site plan review process, provided that it is determined that compliance is not feasible and that the character of the area will be maintained. If approved, such parking shall be substantially screened from off-premises view by a hedge or decorative fencing.

The proposal includes the provision of parking between the historic structures and South Swinton Avenue. The submitted waiver justification states the following:

"...the existing buildings currently have 3 open carport spaces facing Swinton Avenue that will no longer be maintained...by clearly separating this parking and access way from the street with the proposed landscape and picket fence and the enhanced pavement finishes proposed we believe that the intent of this section has been met in a very up-scale, safe, and attractive manner..."The intent of the requirement is to maintain the visual relationship of the historic structures with the street, and the provision of parking between these two elements has the potential to negatively impact that relationship. However, in this case, a one-way circular drive aisle with 7 parallel parking spaces has been proposed which spans nearly the entire width of the four properties as opposed to the four individual driveways which exist.

In consideration of the criteria above, the subject waiver can be supported in that it will not adversely affect the neighboring area as the parking between the buildings and South Swinton Avenue will not adversely affect the neighboring area; provision of public facilities will not be diminished; creation of unsafe situations will be diminished as all parking will enter the right of way in a forward manner; and, the granting of the waiver will not result in a special privilege in that under similar circumstance of the property configuration and existing conditions, the waiver would be supported for another applicant or owner. Therefore, positive findings can be made.

4.5.1(E)(3)(a)1.c., **Appurtenances**, **Fences and Walls**, *Fences and walls over four feet (4') shall not be allowed in front or side street setbacks.*

STAFF COMMENT:

The proposal includes the provision of a six foot (6') high masonry wall within the side street setback at the southeast corner of the South Swinton Avenue property. The wall runs parallel to the property line as close as 1' (2' required), and as far away as 7' (within the setback). This encroachment does not span the length of the side street property line; it is limited to the southeasternmost 45'.

The justification statements notes the following:

"...we have provided a perimeter wall that is six feet in height due to the added security requirements of this project...and to keep unauthorized trespassers from getting into the pool after hours when the facility is closed and unmonitored."

In consideration of the criteria above, the waiver request may be supported in that it will not adversely affect the neighboring area because the intent is to maintain an open streetscape within the historic areas and the increased height is minimal and maintained toward the rear of the property; the provision of public facilities will not be diminished or impacted; an unsafe situation will not be created, rather it is a safer situation that will be provided; and, the granting of this waiver will not result in a special privilege in that it would be supported under similar circumstances on other property for another applicant or owner. Therefore, positive findings can be made.

4.6.9(F)(3), Special Provisions, Valet Parking, a parking facility with a valet service or operator which allows for attendants to receive, park and deliver the automobiles of occupants, tenants, customers, invitees, and visitors, including tandem parking may be utilized in lieu of the requirements of this Section provided the following requirements are complied with:

(d) The dimensions for valet and tandem parking spaces shall be a minimum of eight and one-half feet (8'6") wide and sixteen feet (16') deep with a maximum stacking of two (2) vehicles along with a drive aisle of twenty-four feet (24').

STAFF COMMENT:

The proposal includes a 22' wide drive aisle within the valet parking lot on SE 1st Avenue, whereas 24' is required. The justification for the reductions states the following:

"...request a reduction to 22' for the purpose of increasing the open space, reducing pavement, and adding more landscape area to create more of a landscape buffer...this lot is not intended for patrons or the general public.

In consideration of the criteria above, the waiver may be supported as the drive aisle reduction will not adversely affect the neighboring area in that it is permitting the provision of additional landscaping; the provision of public facilities will not be impacted; an unsafe situation should not be created in that the lot is designed in accordance with valet parking standards and valet parking attendants will be utilizing the lot, as opposed to regular drivers inexperienced with smaller spaces; and, the waiver will not result in the grant of a special privilege in that it would considered under similar circumstances in providing valet parking on a small lot and associated with the adaptive reuse of historically significant properties centrally located to the cities downtown. Therefore, positive findings can be made.

4.6.9(F)(3)(i), Special Provisions, Valet Parking, Interior landscape areas required by Section 4.6.16 shall not be required if landscape requirements which would otherwise have been installed on the interior of the parking lot are evenly distributed along the perimeter of the parking area or facility and that a 10' perimeter landscape buffer consisting of a hedge and trees thirty-feet (30') on center be provided.

STAFF COMMENT:

The proposal provides a minimal landscape buffer around the perimeter which measures 3' along the south, 6'4" and 1'6" along the west, 2'6" along the north, and 6'4" along the east.

The waiver justification states the following:

"...the east side faces the street so sodded streetscape islands, in addition to the provided buffer, are proposed for the front of this property thus enhancing the view from the street. A decorative picket fence,...is proposed on the 3 sides with public right of way frontage with proposed landscape material around it. A tall 5' hedge screens the parking lot from the next door neighbors along with a line of trees. Every effort has been made to create an attractive, appropriate buffer as large as the site will allow."

In consideration of the criteria above, the justification can be supported in that the size of the site, which has been further reduced by the required right of way dedication, limits the development potential and ability to provide the required amount of landscape buffering. While the reduction will impact the neighboring area moreso than if the requirement were met, in either case it is not likely to adversely affect the neighboring area; the provision of public facilities will not be impacted; the limited amount of landscaping will not create an unsafe situation; and given the circumstances surrounding the entire development proposal, the granting of this waiver is not considered a special privilege in that it would also be supported under similar circumstances on other property for another applicant or owner. Therefore, positive findings can be made.

4.5.1(E)(3)(b)2., Parking, waivers may be granted by the Historic Preservation Board for relief from the number of parking spaces required in Section 4.6.9 upon presentation of confirmation

that adequate parking for a proposed use may be achieved by alternate means which are found to be in keeping with the provisions and intent of the Delray Beach Historic Preservation Design Guidelines.

STAFF COMMENT:

A total of 53 parking spaces are required, and 33 have been accommodated through on-site parking. The balance of twenty spaces needs to be accommodated. In accordance with the Section noted above, the HPB may consider the waiver provided that alternate means are proposed.

The subject waiver request notes that "every effort has been made to accommodate the text requirement for parking spaces,...the Historic Preservation Board may grant a waiver to the deficiency in consideration of the compensating overall good to the community in the restoration and preservation of significant historic structures. This methodology for parking compliance will allow our client to proceed with the restoration of the four abandoned houses..." A map indicating the additional valet parking lot is attached.

While the applicant has requested that the spaces be waived, they have offered to provide them via additional valet parking off-site at other valet parking areas within the downtown. The outright waiver of the requirement cannot be supported; rather the waiver to provide the spaces off-site may be supported provided that the valet parking agreement be established in accordance with the regulations, or by any other acceptable means. Therefore, provided that confirmation that adequate parking has been achieved, the subject waiver may be supported.

REQUIRED FINDINGS

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 a 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) FUTURE 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 Future Land Use Map.

STAFF COMMENT

The subject property has a FLUM (Future Land Use Map) designation of OMU (Other Mixed Use) and zoning designation of OSSHAD. The zoning district is consistent with the OMU Future Land Use Map designation. The proposed spa (personal services) and restaurant uses are permitted, and therefore, are appropriate. Thus, positive findings can be made with respect to Future Land Use Map consistency.

(B) CONCURRENCY: Concurrency 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 CI-GOP-1 of the Comprehensive Plan.

As described in Appendix "A", a positive finding of concurrency can be made as it relates to water and sewer, streets and traffic, drainage, parks and recreation, open space, solid waste and schools.

(C) CONSISTENCY: A finding of overall consistency may be made even though the action will 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.

STAFF COMMENT

As described in Appendix B, a positive finding of consistency can be made as it relates to Standards for Site Plan Actions, subject to compliance with the recommended direction.

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

<u>Future Land Use Objective A-1</u> Property shall be developed or redeveloped, in a manner so that the future 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.

STAFF COMMENT

The redevelopment of the subject properties from single-family to spa and restaurant, and from a vacant parcel to a valet parking lot are proposed to be consisted with the subject Objective. With respect to the adjacent land uses, the South Swinton Avenue properties are surrounded by a mix of office (north), valet parking lot (south), Assisted Living Facility (east), vacant land (east), and residential (west). The adjacent uses to the proposed valet parking lot on SE 1st Avenue include vacant land (east), abandoned residential (north), residential (west), and multifamily (south). The properties are in the downtown area within a mixed-use zone which permits single-family residential and a variety of commercial uses. The valet parking lot abuts the CBD zoning district, which permits more intense uses. Due to the mix of uses (both existing and permitted) in conjunction with the downtown location, the proposal can be deemed compatible, and thereby consistent with the subject Objective.

<u>Future Land Use Objective A-4</u> The redevelopment of land and buildings shall provide for the preservation of historic resources. The objective shall be met through continued adherence to the City's Historic Preservation Ordinance and, where applicable, to architectural design guidelines through the following policies:

Future Land Use Policy A-4.1 Prior to approval or recommending approval of any land use or development application for property located within a historic district or designated as a historic site, the Historic Preservation Board must make a finding that the requested action is consistent with the provisions of Section 4.5.1 of the Land Development Regulations relating to historic sites and districts and the "Delray Beach Design Guidelines".

The proposed redevelopment provides for the preservation four historically significant structures in the city's downtown. Positive findings to the LDRs can be made subject to compliance with the recommended conditions of approval and approval of the requested waivers. As a result, the proposal could be deemed to be consistent with the subject Objective and Policy.

<u>Future Land Use Objective C-2</u> Economic development, with due regard for private property rights, historic preservation and character, is an essential component of the redevelopment and renewal efforts which are directed to the future of the City of Delray Beach. Specific efforts for the coordination and provision of economic development activities shall be centered in the City Administration's Development Services Management Group.

Future Land Use Objective C-3 The Central Business District (CBD) and surrounding neighborhoods, including A-1-A, Seacrest and Swinton Avenue represents the essence of what is Delray Beach i.e. a "village by the sea". The continued revitalization of the CBD is essential to achieving the overall theme of the City's Comprehensive Plan by managing growth and preserving the charm. The following policies and activities shall be pursued in the achievement of this objective.

STAFF COMMENT

The proposal will provide a significant opportunity for economic development within the South Swinton Avenue area, which has not yet benefitted from the success on the northend. The redevelopment and adaptive reuse will positively impact this area, moreso than complete new development in this area, which is not as attractive as a project such as this. Further, the potential for continued revitalization of this area will increase and provide additional opportunities for other properties which have sat vacant for a number of years. The proposal is consistent with the subject Policy and Objective and positive findings can be made.

REVIEW BY OTHERS

The Community Redevelopment Agency (CRA) considered the subject development proposal at its meeting of October 13, 2011, and recommended approval.

The Parking Management Advisory Board (PMAB) considered the waiver request relevant to parking at its October 25, 2011 meeting, and recommended approval.

ASSESSMENT AND CONCLUSION

The subject proposal is a welcome addition to the existing conditions and deterioration on the subject properties. Given their existing conditions, a viable adaptive reuse of the subject properties is difficult as evidenced by the number of waivers requested to accommodate and meet the requirements as much as possible. As noted in the report, the subject project will likely assist in the economic redevelopment of the South Swinton Avenue area, and perhaps inspire or provide additional opportunities for other properties to be further improved or reused.

The project should not be judged by its inability to meet a few requirements; rather it should be judged on its merits and its potential and its ability to meet the intent of a majority of the LDRs, and be consistent with the Comprehensive Plan.

ALTERNATIVE ACTIONS

- Continue with direction.
- B. Move approval of the Certificate of Appropriateness, Class V Site Plan, and associated waivers (2011–178) for the property located at **27 43 South Swinton Avenue and 104 SE**1st **Avenue, Swinton Social, Old School Square Historic District,** by adopting the findings of fact and law contained in the staff report and finding that the request is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, the Delray Beach Historic Preservation Design Guidelines, and the Secretary of the Interiors Standards for Rehabilitation.
- C. Move denial of the Certificate of Appropriateness, Class V Site Plan, and associated waivers (2011–178) for the property located at **27 43 South Swinton Avenue and 104 SE 1**st **Avenue, Swinton Social, Old School Square Historic District,** by adopting the findings of fact and law contained in the staff report and finding that the request is not consistent with the Comprehensive Plan and does not meet the criteria set forth in the Land Development Regulations, the Delray Beach Historic Preservation Design Guidelines, and the Secretary of the Interiors Standards for Rehabilitation. (Motion to be phrased in the affirmative. See above)

STAFF RECOMMENDATION

By Separate Motions:

Site Plan, Landscape Plan, Elevations: 27 – 43 South Swinton Avenue

Move approval of the Certificate of Appropriateness and associated Class V Site Plan (2011–178) for the property located at **27 – 43 South Swinton Avenue**, **Swinton Social**, **Old School Square Historic District**, by adopting the findings of fact and law contained in the staff report and finding that the request is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, the Delray Beach Historic Preservation Design Guidelines, and the Secretary of the Interiors Standards for Rehabilitation, subject to the following conditions:

- That the height of all accessory structures not exceed the height of any of the historic (principal) structures;
- 2. That any replacement siding be of wood to match the existing profile and type;
- 3. That more aesthetically appropriate lighting fixtures be provided;
- 4. That the restroom and check-in pavilions comply with the 10' rear setback requirement, or that a variance to the requirement be submitted and approved by the HPB;
- 5. That all signage associated with the spa and restaurant uses be submitted as a separate COA requiring HPB approval;
- 6. That the valet queue be indicated on the subject property of South Swinton Avenue and indicated the minimum queuing length of 100';
- 7. That a 1' dedication be accepted along SE 1st Street, adjacent to the property, prior to issuance of the building permit;
- 8. That a 20' x 20' corner clip dedication at the northeast corner of South Swinton Avenue and SE 1st Avenue be accepted prior to issuance of the building permit;
- 9. That a 2' right of way dedication from the north/south alley (Block 69) adjacent to the property be accepted prior to issuance of the building permit;
- 10. That all kitchen vents and rooftop equipment be indicated and be property screened, subject to review for compliance with LDRs;

- 11. That the lighting within the rear of the property at the Spa be indicated, subject to compliance with the LDRs and CPTED review;
- 12. That the location of all air conditioning units, generators, etc be properly indicated on the site plan and comply with height, setback, and screening requirements;
- 13. That the seating at the juicebar be fixed;
- 14. That adequate access from the rear gate to the paved area by the swimming pool is not acceptable through the sand, and be revised to a paved walkway is required;
- 15. That the egress thru nano-style doors from café be provided to comply with fire safety requirements;
- 16. That shutterdogs be provided for all shutters;
- 17. That a Unity of Title between the two properties be recorded prior to Site Plan certification.

Waiver: LDR Section 4.4.24(G)(3), OSSHAD Supplemental District Regulations

Recommend approval to the City Commission of a waiver to LDR Section 4.4.23(G)(3), which prohibits all parking to be located between the structure and the street, by permitting 7 parallel parking spaces to be located between the existing structures and South Swinton Avenue.

Waiver: 4.5.1(E)(3)(a)1.c., Appurtenances, Fences and Walls

Recommend approval to the City Commission of a waiver to LDR Section 4.5.1(E)(3)(a)1.c., which limits heights of fences and walls to 4' within the side street setbacks, by permitting a 6' wall within the side street setback.

Waiver: 4.5.1(E)(3)(b)2., Parking

Motion to approve the waiver for relief from the number of parking spaces required (reduced from 53 to 33 provided on-site) upon presentation of confirmation that adequate parking for the proposed use may be achieved by alternate means, i.e. valet parking agreements, etc.

Site Plan and Landscape Plan: 104 SE 1st Avenue

Move approval of the Certificate of Appropriateness and associated Class V Site Plan (2011–178) for the property located at **104 SE 1**st **Avenue, Swinton Social, Old School Square Historic District,** by adopting the findings of fact and law contained in the staff report and finding that the request is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, the Delray Beach Historic Preservation Design Guidelines, and the Secretary of the Interiors Standards for Rehabilitation, subject to the following conditions:

- 1. That the wood fence be increased to a height of 6' along the south and west perimeter, except within the front and side street setback areas, where it may be increased to a height of 4', outside of the maximum 3' height within the sight visibility triangle;
- That any fencing which is more than 75% opaque be setback 2' from the property line and screened with hedging which measures the height of the fence within two years of planting;
- That a variance to the Open Space requirement be submitted and approved by the HPB or that the Site Plan be revised to meet the Open Space requirement, all subject to HPB review and approval;
- 4. That an agreement with the City be recorded in order to provide the required parking as valet on SE 1st Avenue;
- 5. That a 5' dedication along SE 1st Avenue adjacent to the property be accepted prior to issuance of a building permit;
- 6. That a 2'6" dedication from both the east/west & north/south alleys (Block 70) adjacent to the property be accepted prior to issuance of the building permit;

Waiver: 4.6.9(F)(3)(d), Special Provisions, Valet Parking - Drive aisle width

Recommend approval to the City Commission of a waiver to LDR Section 4.6.9(F)(3)(d), which requires a drive aisle width of 24', by permitting a drive aisle width of 22'.

Waiver: 4.6.9(F)(3)(i), Special Provisions, Valet Parking – Landscape buffer

Recommend approval to the City Commission of a waiver to LDR Section 4.6.9(F)(3)(i), which requires a perimeter landscape buffer of 10', by permitting a landscape buffer varying from 1'6" to 6'4", as indicated on the plan.

Staff Report Prepared by: Amy E. Alvarez, Historic Preservation Planner **Attachments:**

- Appendix A Concurrency Findings
- Appendix B Standards for Site Plan Actions
- Location Map
- Site Plan
- Floor Plans
- Elevations
- Landscape Plan
- Engineering Plans

APPENDIX A CONCURRENCY FINDINGS

Pursuant to LDR Section 3.1.1(B), Concurrency, as defined pursuant to Objective B-2 of the Future 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:

Water and Sewer

Water service will be provided via service lateral connection to an eight inch (8") water main located within SE 1st Street and a ten inch (10") water main within South Swinton Avenue. Sewer service will be provided via lateral connection to the existing eight inch (8") sanitary sewer main located within the N/S alley right-of-way abutting the east side of the property. Adequate fire suppression will be provided via an existing fire hydrant at the southeast corner of South Swinton Avenue and SE 1st Street. Pursuant to the City's Comprehensive Plan, treatment capacity is available at the City's Water Treatment Plant and the South Central County Waste Water Treatment Plant for the City at build-out. Based upon the above, positive findings can be made with respect to this level of service standards.

Streets and Traffic

The subject property is located in the City's Transportation Concurrency Exception Area (TCEA), which encompasses the CBD, CBD-RC and OSSHAD zoning districts. The TCEA exempts the above-described areas from complying with the Palm Beach County Traffic Performance Standards Ordinance.

Parks and Recreation Facilities

Park dedication requirements do not apply to non-residential uses. Thus, the proposed development will not have any impact with respect to this standard.

Solid Waste

At the highest waste generation rates, the proposed 3,922.7 square feet of spa use area and 6,732 square feet of restaurant use area will generate a total of 103.8 tons of solid waste per year [Spa: $3,922.7 \times 10.2 = 40,011.54 / 2,000$ lbs = 20 tons + Restaurant: 6,732 x 24.9 = 167,626.8 / 2,000 lbs = 83.8 tons]. The Solid Waste Authority has indicated that its facilities have sufficient capacity to handle all development proposals through the year 2023.

Drainage

A preliminary drainage plan has been submitted indicating that drainage will be accommodated via an on-site exfiltration trench system located along the E/W alley with water drainage accommodated through inlets. At this time, there are no problems anticipated meeting South Florida Water Management District requirements.

Schools

School concurrency findings do not apply to non-residential uses. Thus, the proposed development will not have any impacts with respect to this standard.

	APPI	ENDIX	В	
STANDARDS	FOR	SITE	PLAN	ACTIONS

A.	Building design, landscaping, and lighting (glare) shall be such that they do create unwarranted distractions or blockage of visibility as it pertains to tracirculation.				
	Not applicable Meets intent of standard Does not meet intent X — Upon compliance with the conditions of approval.				
В.	. Separation of different forms of transportation shall be encouraged. This includes pedestrians, bicyclists, and vehicles in a manner consistent with policies found unde Objectives D-1 and D-2 of the Transportation Element.				
	Not applicable Meets intent of standard Does not meet intent X	······································			
C.	Open space enhancements as described in Policies found under Objective B-1 of t Open Space and Recreation Element are appropriately addressed.	he			
	Not applicable Meets intent of standard Does not meet intent X — Upon compliance with conditions of approval.				
D.	The City shall evaluate the effect that any street widening or traffic circulation may have upon an existing neighborhood. If it is determined that twidening or modification will be detrimental and result in a degradation of twighborhood, the project shall not be permitted.	he			
	Not applicable X Meets intent of standard Does not meet intent				
E.	Development of vacant land which is zoned for residential purposes shall be plann in a manner which is consistent with adjacent development regardless of zoni designations.				
	Not applicable X Meets intent of standard Does not meet intent X Does not meet intent				
F.	Property shall be developed or redeveloped in a manner so that the future use a intensity are appropriate in terms of soil, topographic, and other applicable physic considerations; complementary to adjacent land uses; and fulfills remaining land uneeds.	cal			
	Not applicable Meets intent of standard X Does not meet intent				

27-40	3 South	Swinton	Avenue.	Swinton	Social.	2011-	178-SP:	F-HPB-	CL5
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Dage	: 28 of 2	8							

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 X Meets intent of standard Does not meet intent
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 Does not meet intent X
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 X
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 X Meets intent of standard Does not meet intent

NON-RESIDENTIAL (SPA)	
1/300 SQ.FT. IN OSSHAD	
A EXISTING BUILDING	1117.5
B JUICE BAR	223.3
C RESTROOM PAVILION	323.3
D RESTROOM PAVILION	102.5
E CHECK-IN/TOWEL PAVILION	157.8
FPOOL	1766.6
G JACUZZI	231.7
TOTAL SQ.FT.	3922.7
DIVIDE BY 300	300.0
EQUALS	13.1
# SPA SPACES REQUIRED	13.1 SPACES

RESTAURANT	
6/1,000 SQ.FT. IN OSSHAD	
AA EXISTING BUILDING	1332.4
AB EXISTING BUILDING	848.1
AC EXISTING BUILDING	1540.4
AD COVERED DINING/COOLERS	1794.8
AE COVERED DINING	412.3
AF AREA UNDER ROOF	206.4
AG BAR398AH COOLERS	189.6
TOTAL SQ.FT.	6732.0
DIVIDE BY 1000	1000
	6.7
TIMES 6	6
# RESTAURANT SPACES REQ'D	40.3 SPACES

TOTAL SPACES REQUIRED

RESTAURANT 40.3

NON-RESIDENTIAL (SPA) 13.1

SUM 53.4

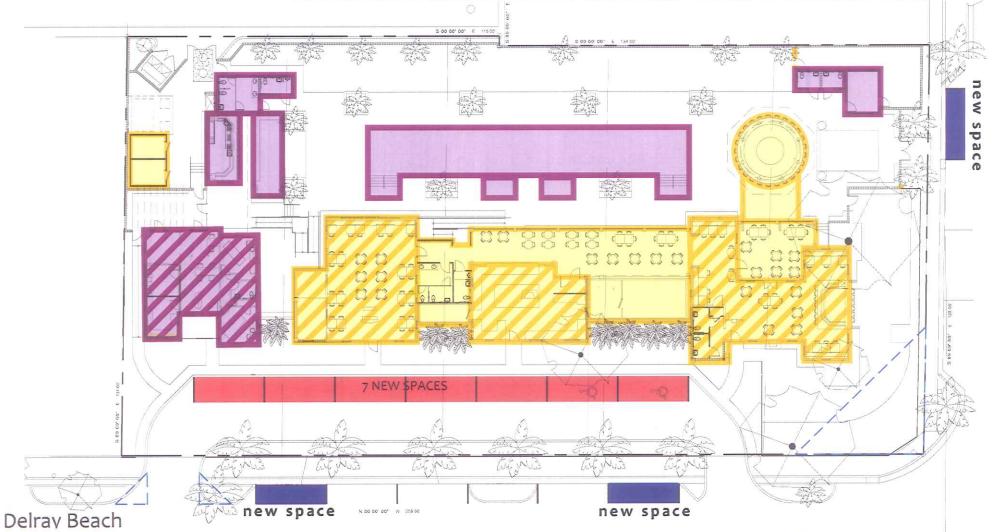
TOTAL REQUIRED 53 SPACES

TOTAL SPACES PROVIDED

NEW ON-SITE 7

NEW ON-STREET (3)× 0.5= 1.5 does not count
(3 SPACES, EACH COUNTS AS 0.5)

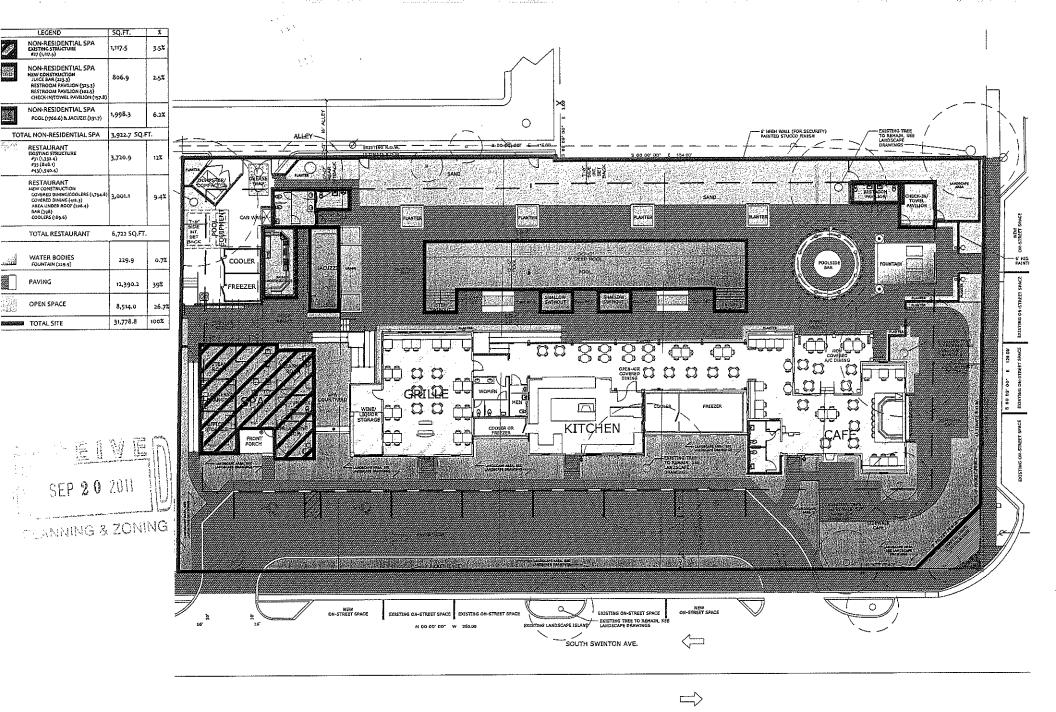
TOTAL PROVIDED 7 SPACES
53 spaces -7 spaces = 46 spaces
TOTAL REQUIRED TO VALET 46 SPACES



SWINTON SOCIAL- PARKING COMPUTATION

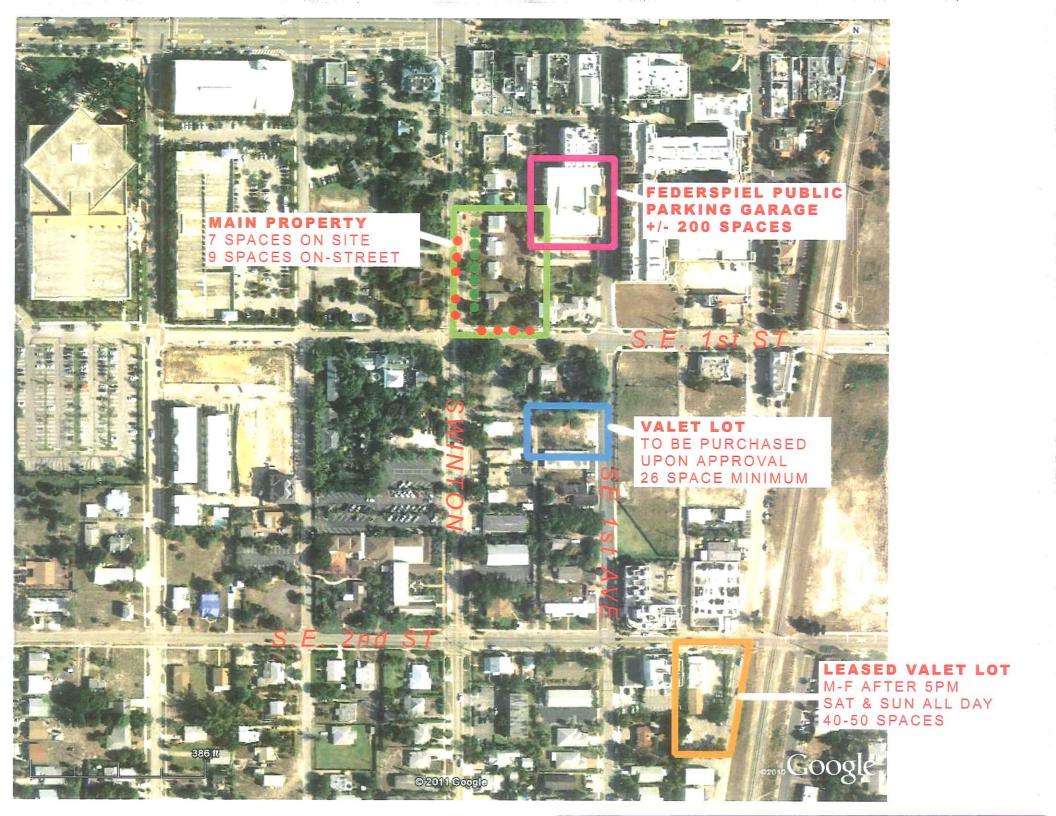
CURRIE • SOWARDS • AGUILA • ARCHITECTS

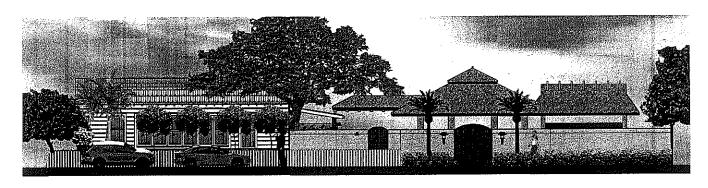
Architects • Planners • Interior Designers



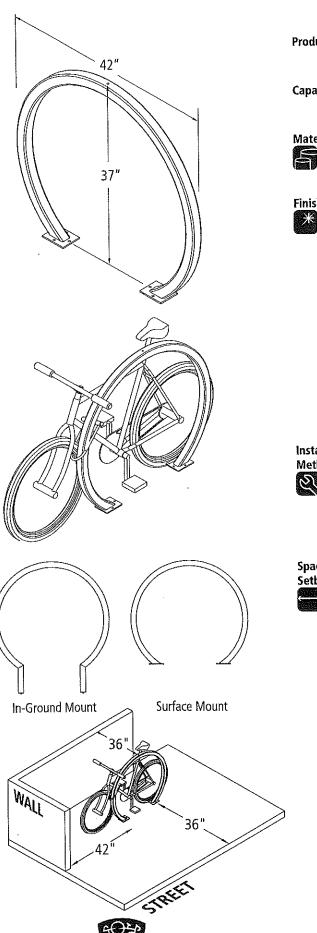








South Elevation (Facing S.E. 1st St.)



Product

· Dero Excalibur Arc Rack

As manufactured by Dero Bike Racks

Capacity

2 Bikes

Materials

2" x 2" x 3/16" square tube.



An after fabrication hot dipped galvanized finish is our standard option. 250 TGIC powder coat colors, thermoplastic coating, and stainless steel finishes are also available as alternate options.

Our powder coat finish assures a high level of adhesion and durability by following these steps:

- 1. Sandblast
- 2. Epoxy primer electrostatically applied
- 3. Final thick TGIC polyester powder coat

Stainless Steel: 304 grade stainless steel material finished in either a high polished shine or a satin finish.

Installation Methods

Surface Mount Excalibur Arc Rack has two 5" x 4" x .25" feet which are installed onto a concrete base with 6 masonry anchors.

In-ground mount available by special order.

Space Use and Setbacks



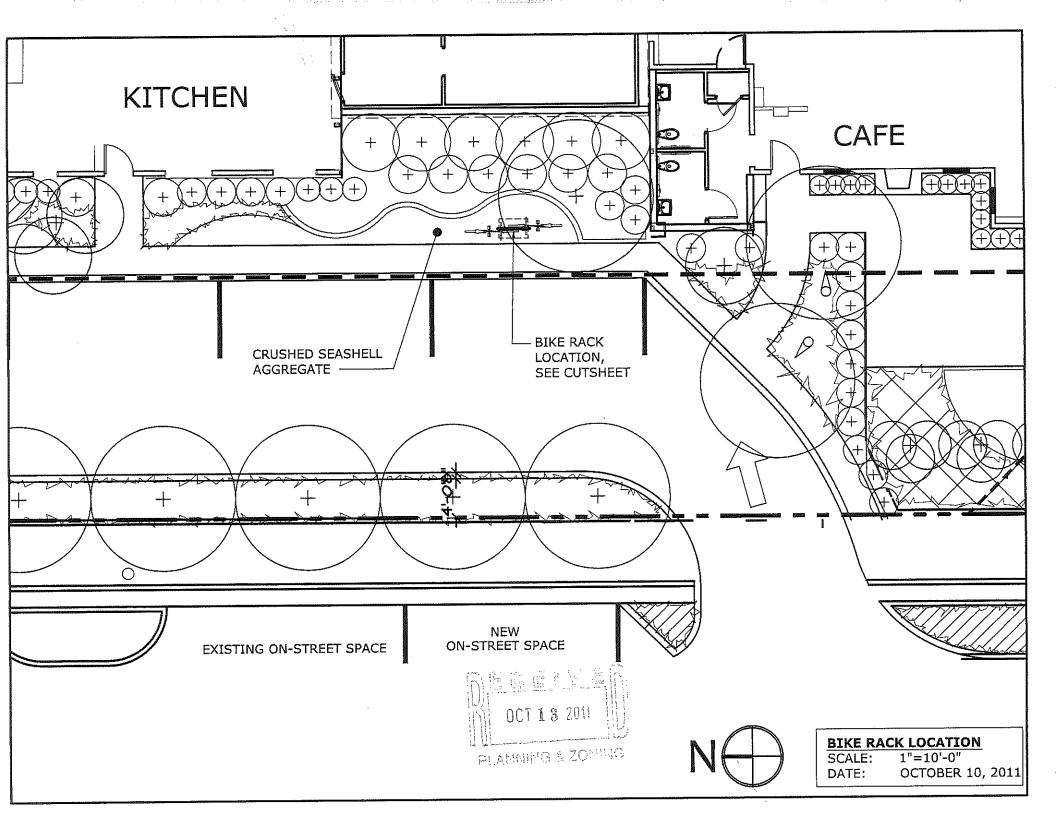
Wall Setback: For racks set parallel to the wall, a minimum of 24" should be left between the wall and the rack, 36" is the recommended setback. For racks installed perpendicular to the wall, a 34" setback is the minimum distance. 42" is recommended.

Street Setback: 24" is the minimum distance between the street and the rack. 36" is recommended.

Between Racks: 24" is the minimum distance between racks, 36" is recommended.

This was used at Old School Square Park Color: White





NOTE: ALL VENTS & EQUIPMENT SHALL BE SCREENED.

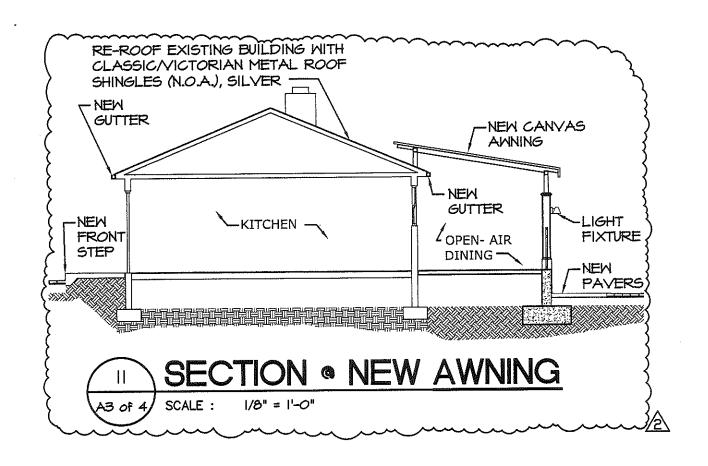
NOTE:

*LOADING ZONE SHOWN IS 12'X30' AND WILL BE USED DURING OFF OPERATION HOURS ONLY.

FILE NUMBER ~HPB Submittal Site Plans.dwg DRAWING TITLE **PROPOSED** SITE PLAN, DATA, **ELEVATIONS, &** SITE DETAILS DATE DRAWN BY **ഗ** 08.01.2011 JOB NUMBER 110403 DRAWING NUMBER A1 of 4

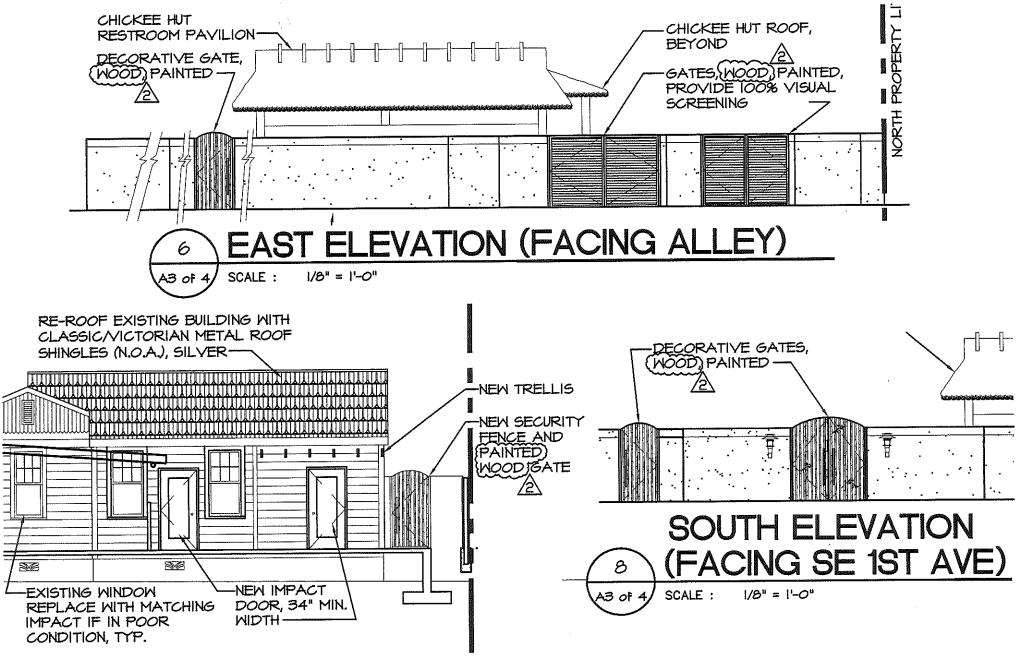
** **OCT 13** 2011

Fig. Who is





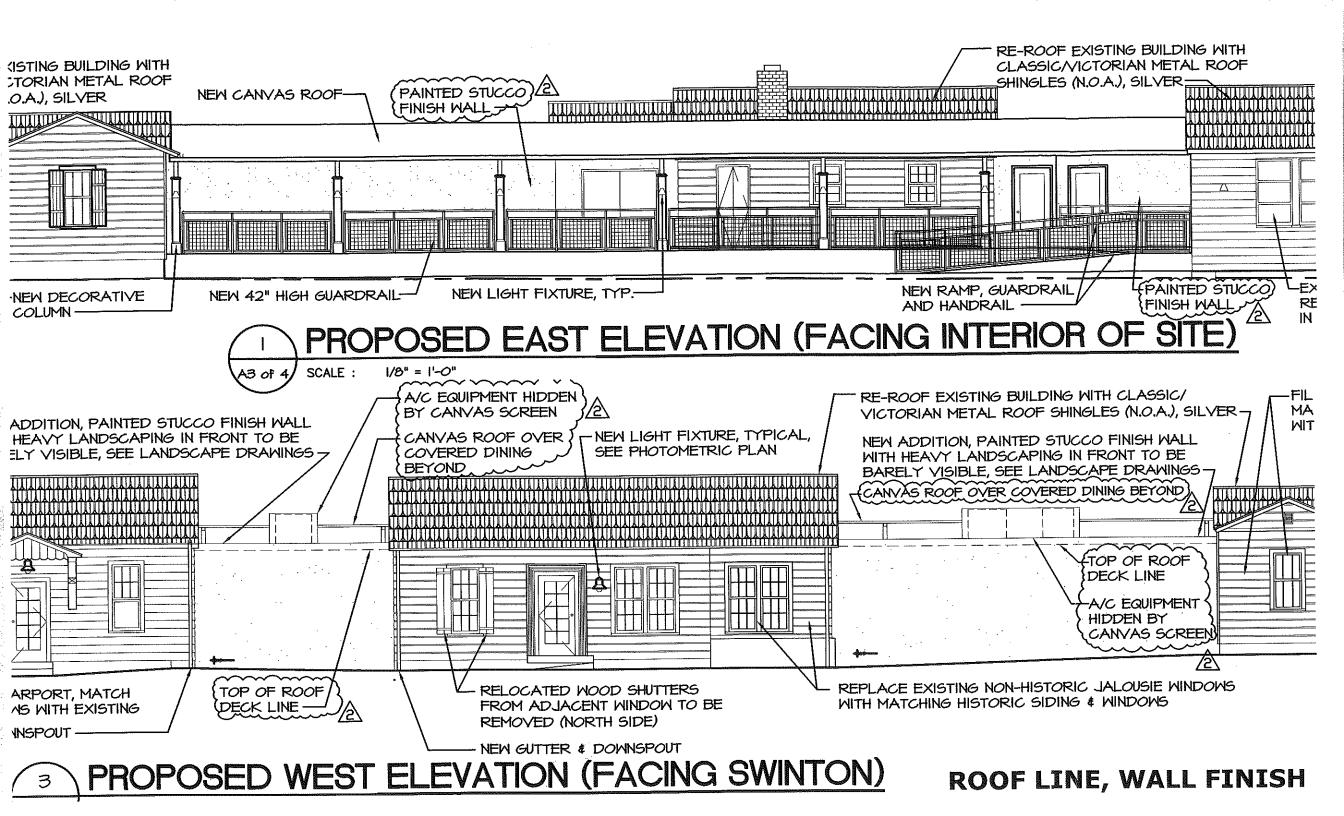
CANVAS AWNINGADDED ONTO SHEET A3 OF 4

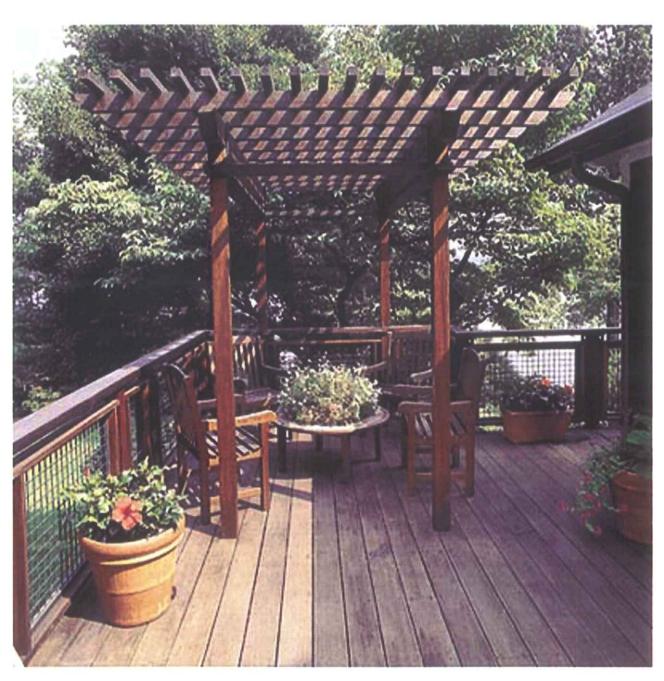


PROPOSED EAST ELEVATION (FACING INTERIOR OF SITE)

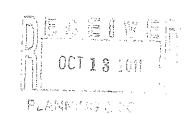
A3 of 4) SCALE : 1/8" = 1'-0"

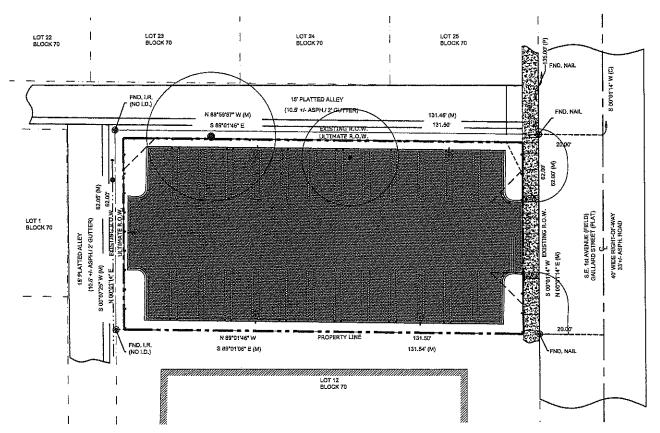
REVISED ON SHEET A3 OF 4

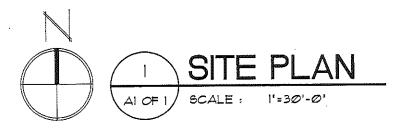




Inspiration Photo for Guardrail Design







PERMEABLE PAVERS

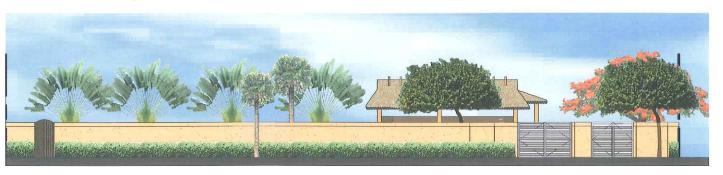
REVISED ON SHEET VALET LOT A1 OF 1



West Elevation (Facing S. Swinton Ave.)



South Elevation (Facing S.E. 1st St.)

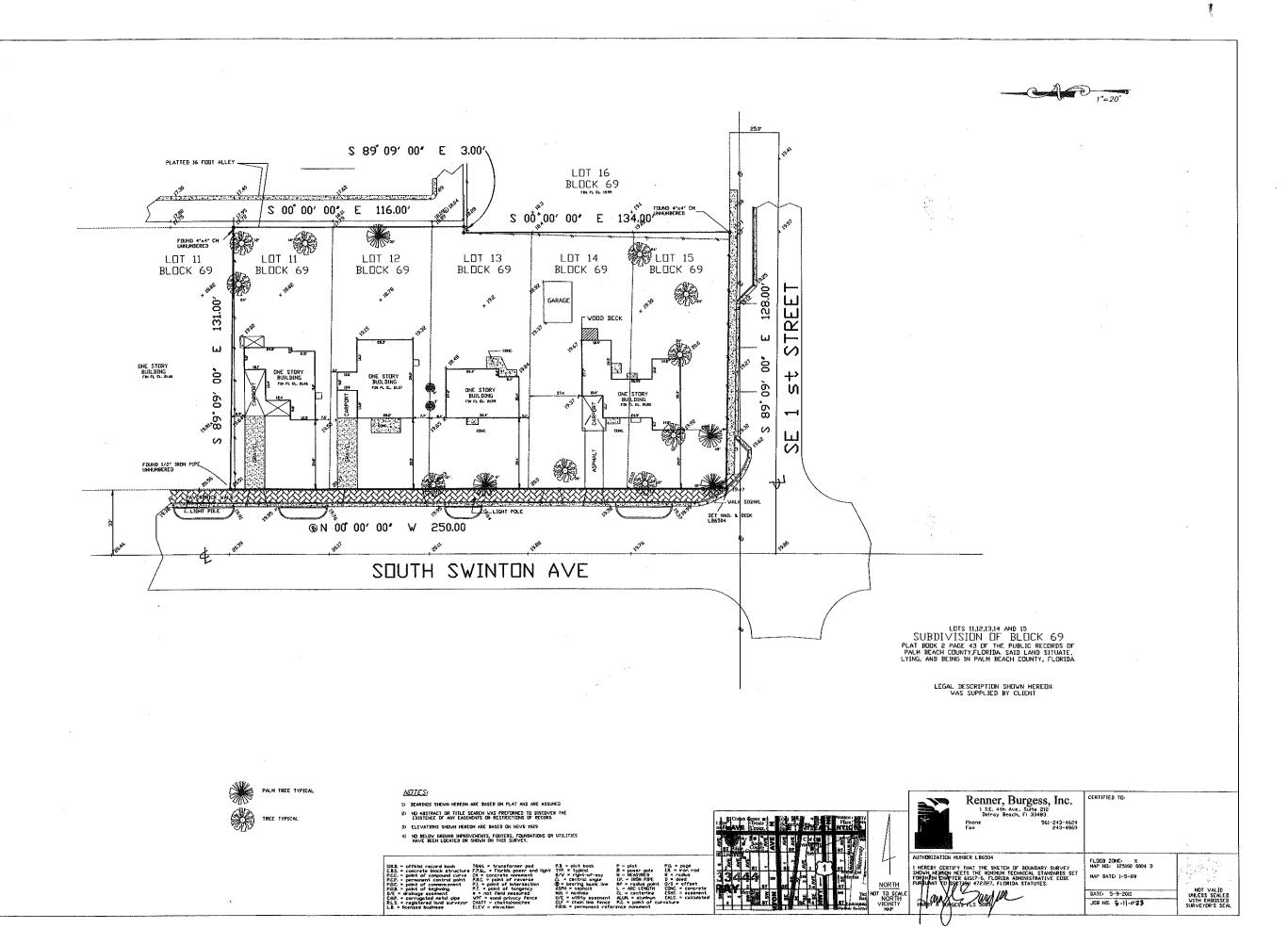


East Elevation (Facing Alley)

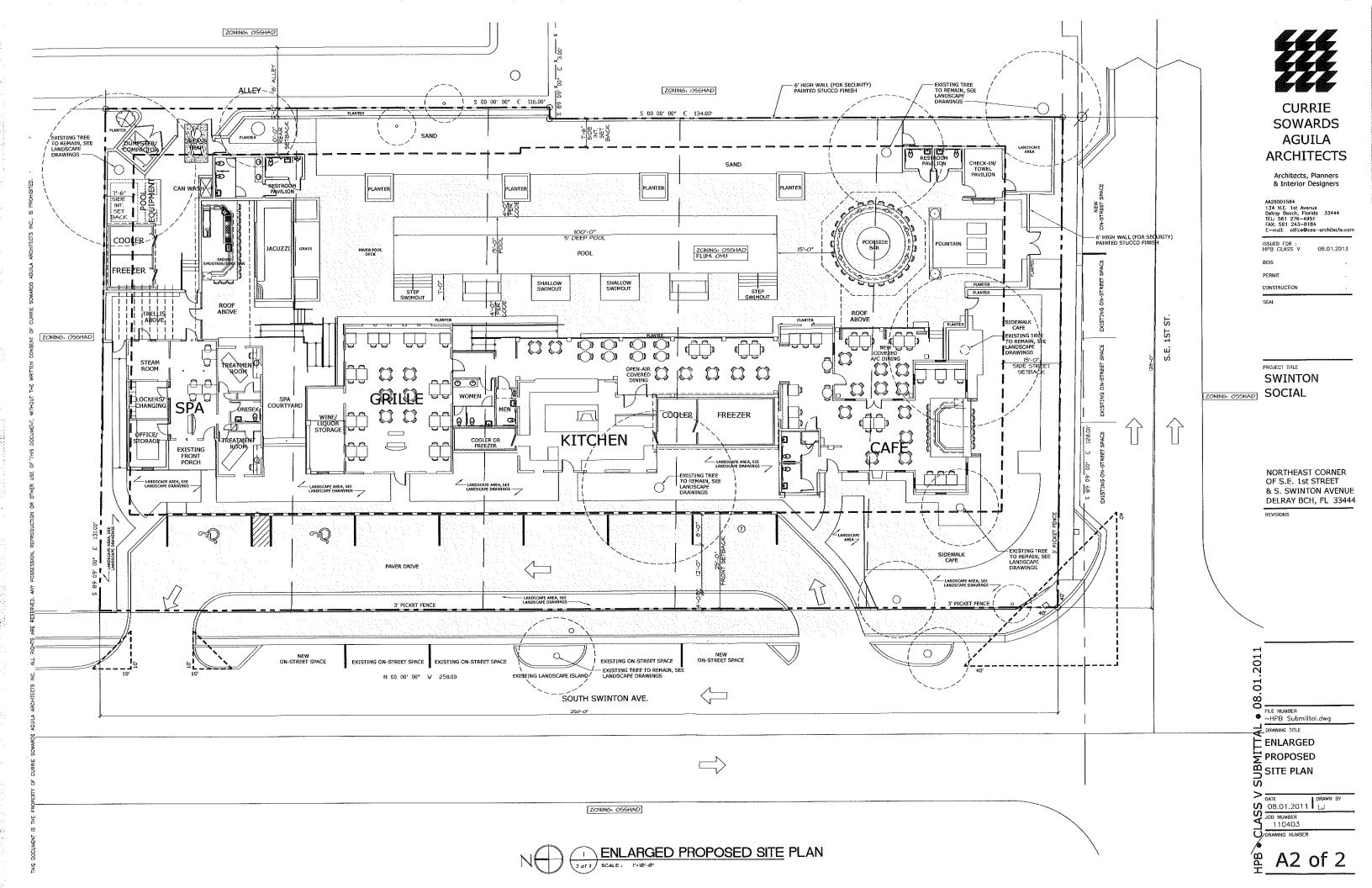


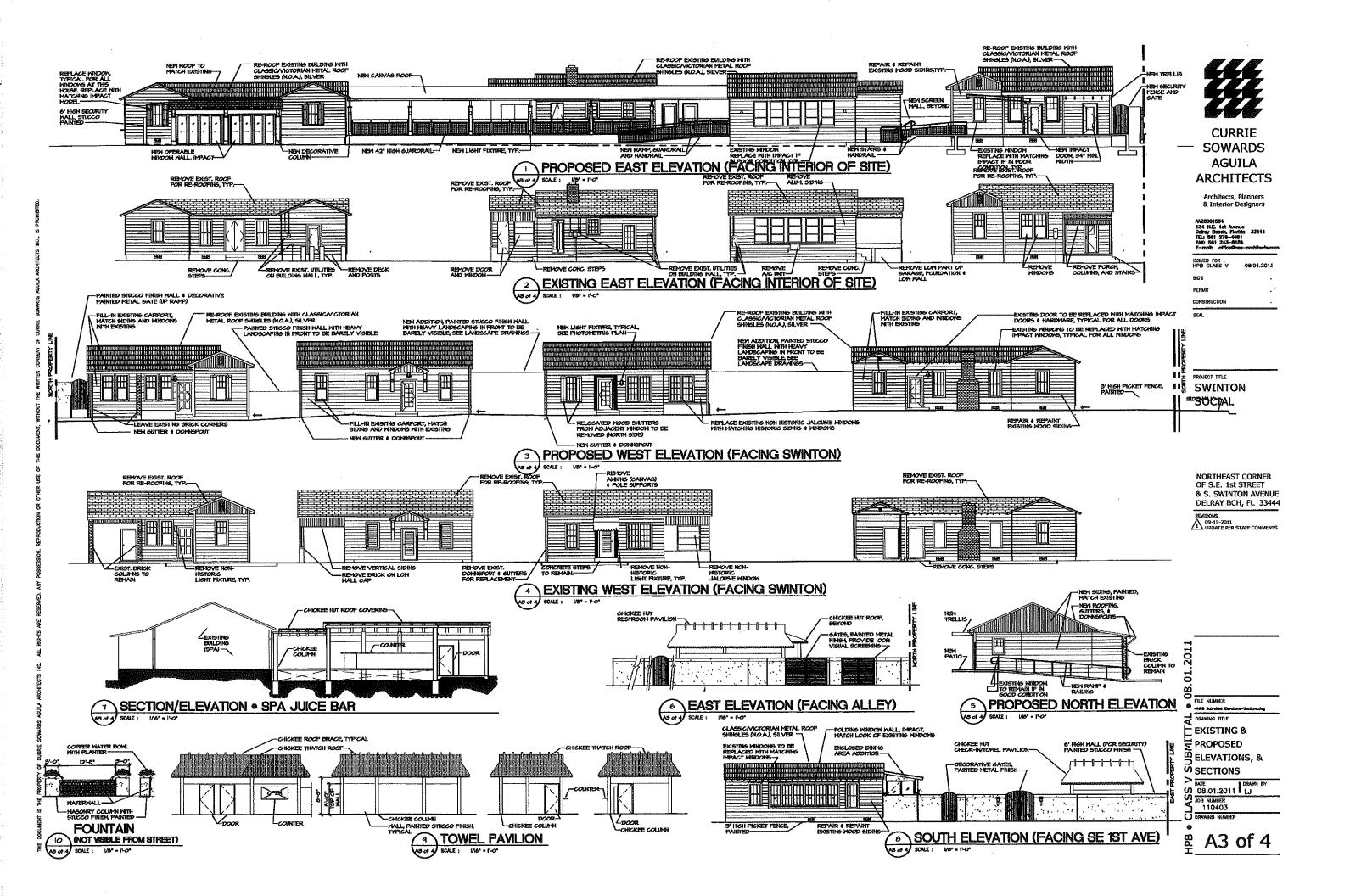
East Elevation
(Facing Pool-Not Visible from Street)

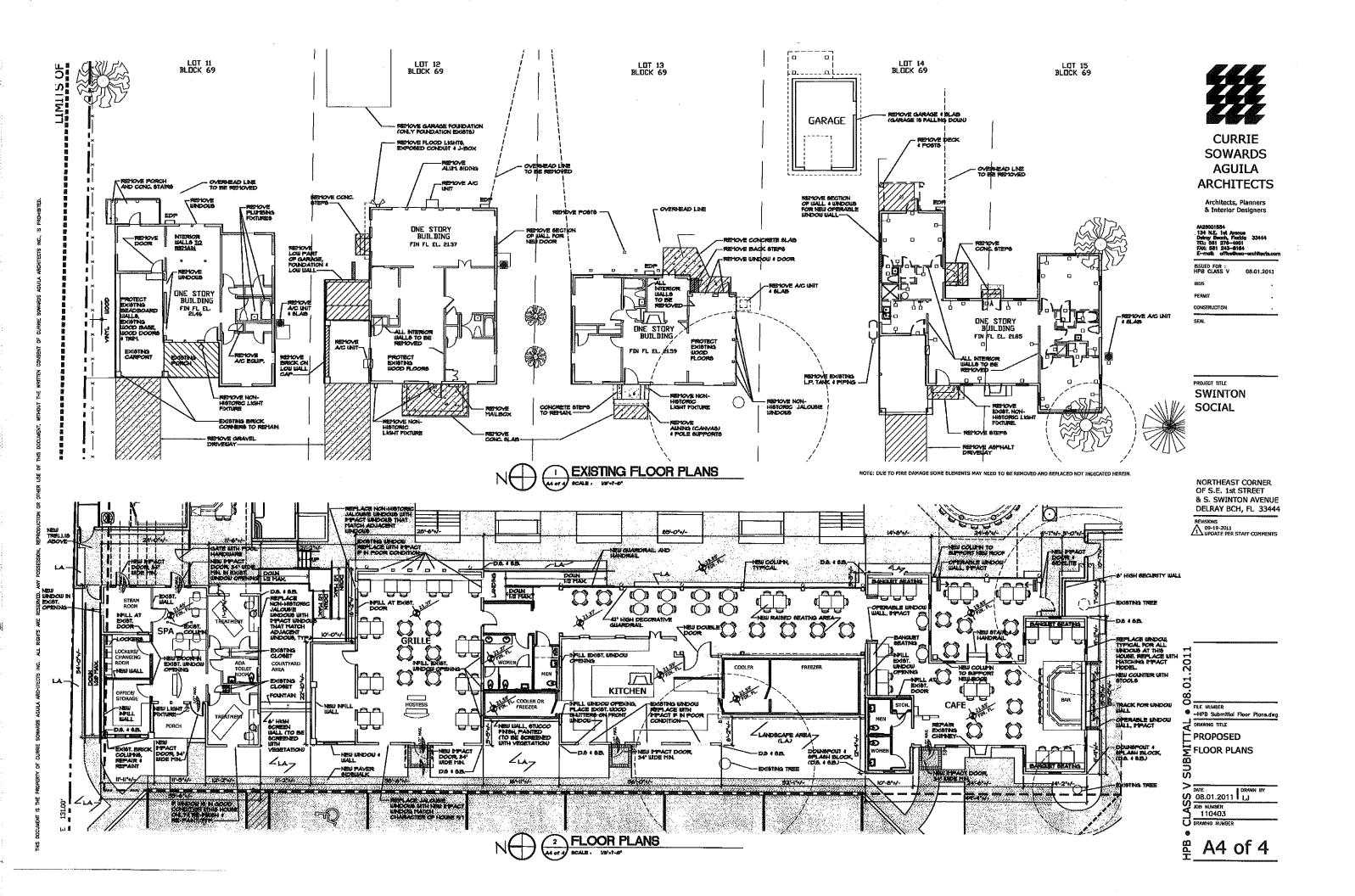




D1.01







MICHAEL FAY: L'ANDSCAPE ARCHITECT REG.# 540 420 N.W. 7th ST., DELRAY BCH., FL., 33444 PH. 561-306-4003

PROJECT:
SWINTON SOCIAL
NE. CORNER OF S.E. 1 ST. & S. SWINTON AVE.
DELRAY BEACH, FLORIDA. 33444
MASTER LANDSCAPE PLAN
HPB CLASS 5 SUBMITTAL

SHEET NO.

L-1 OF DRAWING FILE NO.

LANDSCAPE NUTES LANDSCAPE NUTES:

1. ALL PLANT HATERIAL SHALL CONFORN TO THE STANDARDS FOR FLORIBA NO. 1
OR SECTIFER, AS GIVEN IN "GRADES AND STANDARDS FOR NURSERY PLANTS," PART I, 1959,
AND PART II, STATE OF FLORIBA, DEPARTMENT OF AGRICULTURE, TALLAMASSEE, FLORIBA

2. ALL PLANT EEDS OF STANDARD FOR THE LANDSCAPE CONTRACTOR TO VERIFY LOCATION

3. ALL PLANT EEDS OF SECRIFIC FOR THE LANDSCAPE CONTRACTOR TO VERIFY LOCATION

4. IT SHALL BE THE REPORTSIBILITY OF THE LANDSCAPE CONTRACTOR TO
PROVIDE A SMOOTH DIMFORM GRADE PRIOR TO INSTALLING SOO.

5. AN INFRIGATION SYSTEM SHALL BE INSTALLED ROUNDING LOOK COVERAGE TO
ALL LANDSCAPE AGENCY, ALS, DIE NING-LLE PROVIDING LOOK COVERAGE TO
ALL LANDSCAPE AGENCY, ALS, DIE NING-LLE, OR COUNT, NOTSTURE

5. SEE SHEET 1.-2 FOR ADDITIONAL INSTALLATION BETALS, AND SPECIFICATIONS.

6. SEE SHEET 1.-2 FOR ADDITIONAL INSTALLATION BETALS, AND SPECIFICATIONS.

7. GENERAL CONTRACTOR SHALL DITAIN TREE REMOVAL PERMITS AS REQUIRED BY THE CITY.

8. ALL TREES AND PALMS TO BE PROPERLY STAKED AFTER PLANTING.

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	ACRECIPIC NAVE	(CONTOLINA)		KATIVE
ANTITY	BOSE, THESE AND PAULTS TO RESIAN.	(SOPPORIUM)	#FECFEATIONS	RATIVE:
*	SELECTIFIC THESE		HACAP, HW'CAP, HW'CAP.	784
	NAMO NAME NAME NAME NAME NAME NAME NAME NAME		MCCATA COLUMN	100
1	AARU PEINA		HF GL	172.0
	BOTAL PONCINIA		M.CHA.	NO.
	HAROSON		24 GAUT.	YEA
	Becom		A DOT.	
				-
	POST, TREES AND PAINS TO BE PERSONED			
*	SASAL PAPE		B.W.Qt.	Y25
7	ADDRESSA PALITO		H-Y0A	N/O
	HAROLAY		W CAR.	YEA
	EDGST. THESE AND PALMS TO BE RELOCATED			
. 1.	ARECA PALT		B OA	HØ.
,	GIRO LPRO		COMP.	129

	HOW THESE AND PAIPS			
	PHOWNX DACTTEPHAA	(MEDARAL DAM PALM)	W GI. (10 BOTTON OF NIT), B.M. HATCHAS	190
	PHOBIOL STLYESTING	/ 在10年8月1日 产业共 2	P CT, B4R, MATCHING	HIO.
	COCCO TIALAYAN GREET	(HALAYAN GREEN COCCOLIT)	GAN' CAL BAN TAN' CAL BAN	140
	THROLAX RADIATA	(FLORIDA NARCH PALH)	4- TROPLE TRIK # 6" OA, BHB, H DOSE, TRIK 46" OA, BHB	HZ
. 7	YEROLI HONGGERTAU	(HONISONERY PACH)	THEFT THE IT CAL BOD	HO
10	CODYBINA SPURGATA	(PONTAL PULP! ?	M' DA, BIB, KATORIA	No.
- 1	GUEROUS VIRGINERIA	(LIVE DAK)	B'GAXT# NR. S'GAP. BID	726
	COCOCANTUS BASCIUS SERCEUS	(NEVER GUITO-10000)	Y GA X 6-Y 64R, HLTI-61B1(BB)	1780
	PROUNT L'ITORALE	(BYRAGIDERFEY GUAVA)	M 64 X 1-V 6/R, HLTI-STB1, B-0, HATO-PG	726
	RAVEEL RIVELERS	(NAMERY PALH)	HF CA, DIE	HO
	ROBE ROBE DE	/ FISHY DATE PALH (He' OA, TRE'LE TRICKIN, He' CADOM TRIC SH	HO HO
	PTYCHORPOPIA HACARTILIN	(MACARITAN PALH)	D DAHLE-THK BIR	120
	COCCLOBA INVERA	(BEASPLAND >	E' CA X S-W' SPR, SHE	
<u>. 1</u>	RAVEULA HADASASCARTINA	/ INAVELENG PALM)	#64, 24°04	HO
	AMERICAN SHOPE			
	MUMA EXCELAS	(LADY FALK)	A DAX STORE POR	H2
	Haracus Tarascus PHC		SON N'OAKH' PRI'OC	Hi2
<u></u>	BTACHTANNETA ANNONNO	(BLAR PORTERDED)	SOL, N'OA XN' WR TOE	YZA
49	MARKE REPORTS	(power wares)	3 GAL W PAXW O'R WOG	CH
10	PSYCHOTRIA LISLATRIPOLLA	(pawe was correct)	164 NOAHWOAFOG	YEA
	PSYCHOTRIA NERVOSA	(NLD COTTES)	1 3 GK, N° OA X N° BYR 30° OG	724
	ALMANA SCHOTTE	(BUBLALLAYADA)	3 GAL 34" OA X24" MRL 1" GG	HZ2
-	PUPERA PUPEA	(BROAL BOIGET)	B 64, 64°04	HZ

Memby	ACREST FIG. HAVE	(portunishing)	SPECPICATIONS	KATIVE
	GROUND COVER AND 600			
N	SCHRIFTERA ARRONDOOLA TRIMETTE	(pear yannated schoolsas)	3 GAL 24' DA X 24' BPR, T OD	HO
40	DISTRIB SPCOLOR	(YELLOW APPICAL WAS)	364,31'0AX31'0M,1'0A	HO HO
300	CHITICARCUNIA ICACO	(COCOTUH)	344,31'04 × 14' 8-11,7 0C	786
77	PECUS REPLAYEDA	(SEEPTHS FO F	TOM, O'OAXH' MA, POC	143
	ALIBRA TRAINERT YARROATA"	(YAPPENATED SHELL CANDED)	764,36'04 X 66'67, 3'0C	HO
	CURRY MARY ANATA	(DHAF PITCH APPLE)	BOAL FOAX FER FOG	Time
3	BOUGHT ALEX BARBARA KARST		1 GAL, THELLIA, AN' CA.	NO
×	PROPERN WALEHARY		JOH. WOAKWER WOL	140
	CHORPLEY		MON CON X CON F DC	HO.
1	CANNEL SCREEN BLACK,		SO GAL, P OAX P SHR, F OC.	HO T
14	MINISTERS NOW VERY	(DOMP NOW HARMON!)	164 PAXEMENTOC	ю
24	THENERISE PROCTA	(KING KATLE)	3 AAL 24" OA X 34" WPL F OC.	NO NO
44	PODOCARRUS HAIG	(PODOCARPA) ;	TOAL 4" OA EIF WILF OG	160
+	COCOLOGA DYPHILA	(SEASKAPE)	# GAL 6-F OA X F MA, F OC, PLL	YES
74	MARTIN LAIDIN COLLYCTY.	(DEAT PREBUIL)	SOAL NOA XIN STATE OC.	126
$\overline{}$	CATTARIS CYNOMULOTHORA	(JANAGA CAPER)	B 04L, 9-6' 04	YBS
•	SAMINA ATTANOS ANDS	(DAME BIDDING BUTTA BRANC) :	MAN, A O' O' X Y O'R, F O'C, HATOPIS	NO
3	COCKARIN SOMEADLOCKS	(DREADLOGIO CROTOL)	764L, 34' O.A. X 60'84'R, 36' O.C.	HO.
4	CODIABLI ACUD DIRIL	(doub bust chotch)	164.34' OA K 66' 874, 56' OC	HØ.
36	LEX VOITEMA	(YAPOR HOLLY)	JAN FORKERN FOR	HO
+	LINEA COCCHEA 'ALMAA'		104, 4' OA X M' BPR Y OC HETI-STEN	100
	CHANCEMA REPRIN	(PERD PALIS)	164_FOAXI ER FOC. REL	HO.
	PICUS REPORTS	(CHEEPING PLG /	GUL.	NO.
	discuss cover are too			
	HETOTOLOPIS PALGATA	(294GHO ROMI)	3 94. 14' 04 × 16' 974, Y 06.	No
	NOTIFICATION BY ALL TATA	(BORTON FIRM)	SAL P CAX P MR. U OC.	YES
	ANTARASE PETERS	(hardenia rispai)	AL POLXPHAPOL	NO NO
	LIBROPE BYENDERS GLACT	(4年(山州))	SAL T' OA X D' SPA B' OC.	
94	DIAMBLA TABUNACA	(PLAY LALY)	104, V 478	
	HELIANIAN CENTR	(post entroper)	GAL P GAHP PR P OC.	
	LANAUATONINO	(ROMDALATING)	OF M. OY X D. BAS' C. OY	128
	panier and the second	1130005 241,144		
	PRAC.			
46 CU YOL	SERTE PELACHI SAND		6" DEEP WAPE RESCRIED	1 '
45 CU PT.	IFF. CAUS-NO SEASON ASSOCIATE (CAUCO)		3" NASHE GERCANIC	

SCALE: 1" = 20"

1-800-432-4770 NOTIFICATION AND LOCATION

4B HOURS BEFORE DIGGING ONDUPO - PALE SEACH - NOVE PATER -ST, LUCK - MAKEN DOWNES

LANDSCAPE CALCULATION FORM MULTIPLE FAMILY, COMMERCIAL & INDUSTRIAL OTY OF DELRAY BEACH (561) 243-7200

C+ (A-B)

B BIRUCTURES, PARKAIS ENERGISAYS, DRIVES, ETC. C TOTAL PERVICUS LOT AREA

AREA OF GARLESS AND SHOULD REGULATED AREA OF BRIDGED AND GROAD COVERS PROVIDED

TOTAL PAYED VEHICLE AR USE ARE

TOTAL INTERIOR LANDSCAPE AREA RELIABIO TOTAL INTERIOR LANDISCAPE ANDA TOTAL INTERIOR SHADE TREES TOTAL MIRRICR SHADE TREES PARKED OR VEGETABLE AND CHEST

TOTAL NUMBER OF PERCEPTER

TOTAL HIPBUR OF PEAPETER THEES PROJUCED

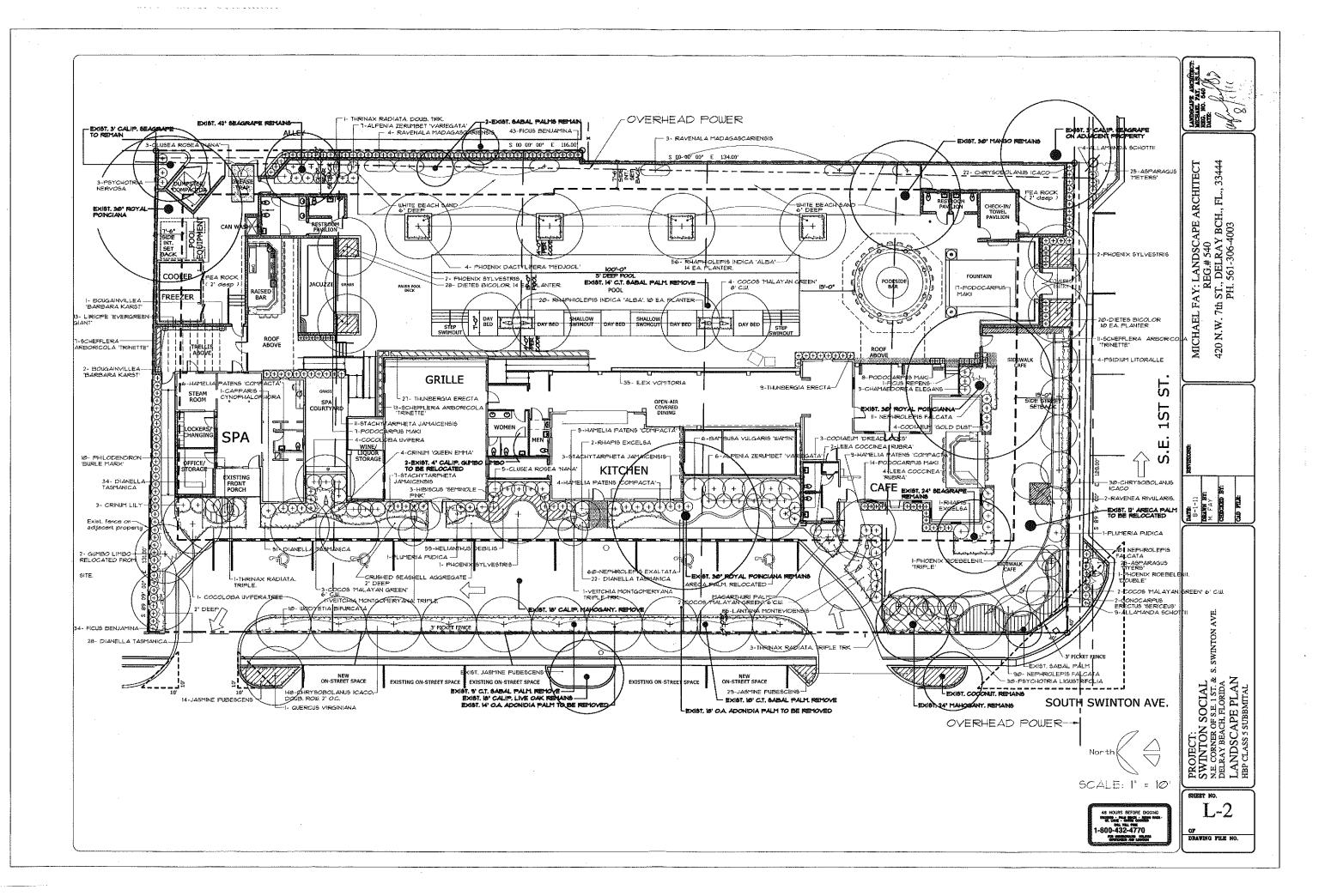
TOTAL HERBER OF EXISTING TREES TO BIT GAVED ON GITE

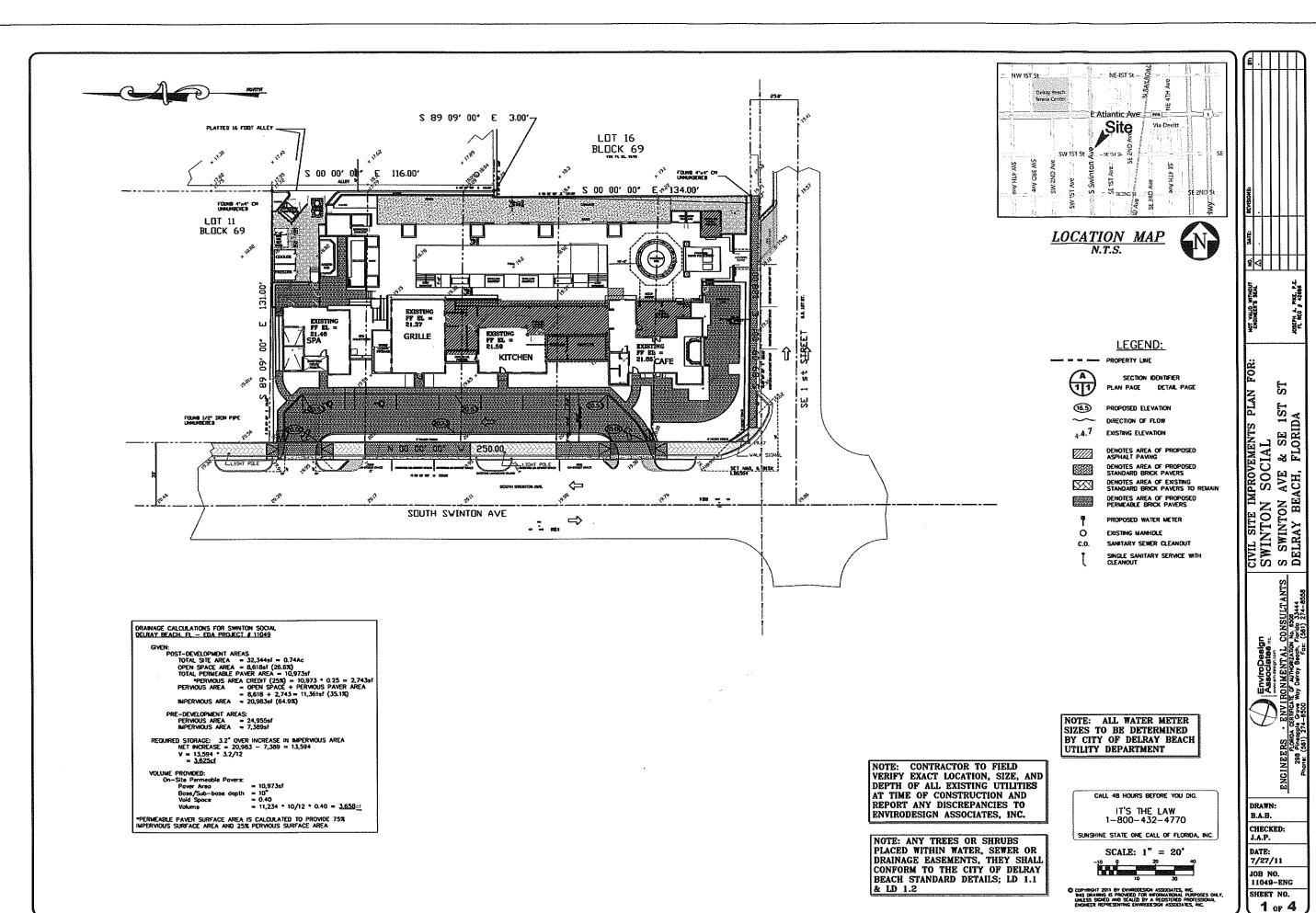
TOTAL NEWSON OF HATTYE THEES RECURSED

TOTAL HIMDER OF NATIVE THEED PROVIDED

35,5512 6F. 24/20.6 8/.

TABULATION OF ALL RELEVANT STATISTICAL INFORMATION





7/27/11

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11049-ENG

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SHEET NO.

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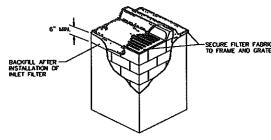
Social/11049-ENG.dwg,

Swinton

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SOUTH SWINTON AVE



NOTES:

- 1, CONTRACTOR IS TO CLEAN PRET FILTER AFTER EVERY STORM
- 2. CONTRACTOR TO REMOVE FABRIC JUST PRIOR TO PAVING.

A SEDMENT TRAP WILL BE EXCAVATED BEHIND THE CURB AT THE INLET. THE BASIN SHALL BE AT LEAST 12 TO 14 INCHES IN OPPIN, APPROXIMATELY 36 INCHES IN WOTH, AND APPROXIMATELY 3 TO 10 FEET IN LENGTH PARALLE. TO THE CURB.

STORM WATER WILL REACH THE SEDMENT TRAP VIA CURB CUTS ADJACENT TO EACH SIDE OF THE WILLT STRUCTURE. THESE OPDINGS SHALL BE AT LEAST 12 INCHES IN LENGTH. STORM WATER MAY ALSO REACH THE BASIN WA OVERLAND FLOW LAND AREA BEHAND THE CURB. THE CURB CUTS SHALL BE REPARED WHEN THE SEDMENT TRAP IS REMOVED.

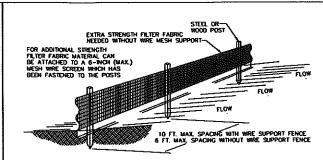
INLET FILTER DETAIL D 8.1

- KEEP DUST WITHIN TOLERABLE LIMITS BY SPRINKLING OR OTHER ACCEPTABLE NETAINS.

- DRAMAGE MEETS SHALL BE PROTECTED BY FILTER AND CRACED ROCK AS PER 95 FT PROTECTION DETAIL.

- TO, WHENEVER FEASIBLE, NATURAL VEGETATION SHALL BE RETAINED AND PROTECTED
- 12. DISCHARGE FROM DERATERING OPERATIONS SHALL BE RETAINED ONSITE IN A CONTARRENT AREA.

EROSION CONTROL NOTES DETAIL D9.1



- 1. THE HEIGHT OF A SULT FENCE SHALL NOT EXCEED 38 INDIES (90 CM).
- 2. THE FATER FARRIC SHALL BE PURCHASED IN A CONTINUOUS ROLL OUT TO THE LENGTH OF THE BARRIER TO AVOID THE USE OF JOINTS.
- 3. POSTS SMALL BE SPACED A MAXIMUM OF 10 FEET (3 M) APART AT THE BARRIER LOCATION AND DRIVEN SECURELY INTO THE GROUND A MINIMUM OF 12 INCHES (30 CM), WHEN EXTRA STRENGTH FABRIC IS USED WITHOUT THE WIRE SUPPORT FENCE, POST SPACING SHALL NOT EXCEED 6 FEET (1.8 M).
- 4. A TRENCH SHALL BE EXCAVATED APPROXIMATELY 4 INCHES (10 CM) WIDE AND 4 INCHES (10 CM) OFEP ALONG THE LINE OF POSTS AND UPSLOPE FROM THE BARRER.
- (10 CM) DEEP ALONG THE LINE OF POSTS AND UPSLOPE FROM THE BARREER.

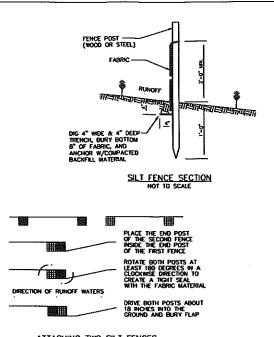
 S. WHEN STAMDARD STREEDEN FILTER FABRIC IS USED, A WISK MESH SUPPORT FEMCE SHALL BE FASTENED SECURELY TO THE UPSLOPE SIZE OF THE POSTS USING HEAVY DUTY WITE STAPLES AT LEAST 1 INCH (25 Mai) LONG, TE WREES, ON HOE RINGS. THE WIRE SHALL EXTEND MITO THE TRENCH A MINIMUM OF 2 INCHES (5 CM) AND SHALL NOT EXTEND MORE THAN 36 INCHES (90 CM) ABOVE THE ORIGINAL GROUND SURFACE.

 S. THE STAMDARD STRENGTH FILTER FABRIC SHALL BE STAPLED OF WRED TO THE FENCE, AND 8 INCHES (20 CM) OF THE FABRIC SHALL BE STAPLED ON WRED TO THE FENCE. AND 8 INCHES (20 CM) OF THE FABRIC SHALL BE STAPLED ON WRED TO THE FENCE. AND 8 INCHES (20 CM) OF THE FABRIC SHALL BE STAPLED ON WRED TO THE FENCE. AND 8 INCHES (20 CM) OF THE FABRIC SHALL BE STAPLED ON WRED TO THE FENCE. AND 8 INCHES (50 CM) ABOVE THE ORIGINAL GROUND SURFACE.
- 7. THE TRENCH SHALL BE BACKFILLED AND THE SOIL COMPACTED OVER THE FILTER FABRIC. 8. ALL PROJECTS RECEIRE SUBJECTAL OF POLLUTION PREVENTION PLAN (PPP).

Sheet 1 of 2

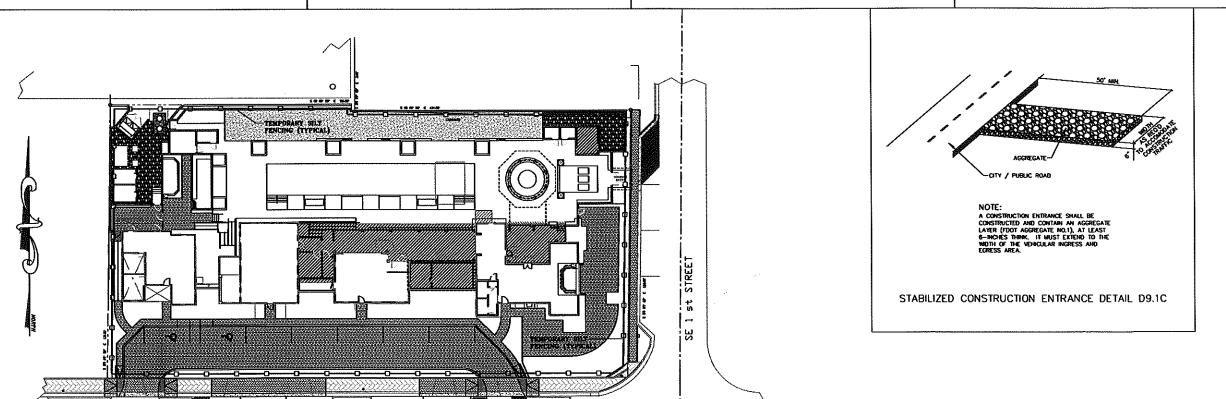
9. ALL PROJECTS 1 AC. OR MORE MUST SUBMIT HOTICE OF INTENT (HOIL) TO FDEP.

SILT FENCE INSTALLATION DETAIL D 9.10



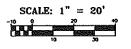
ATTACHING TWO SILT FENCES

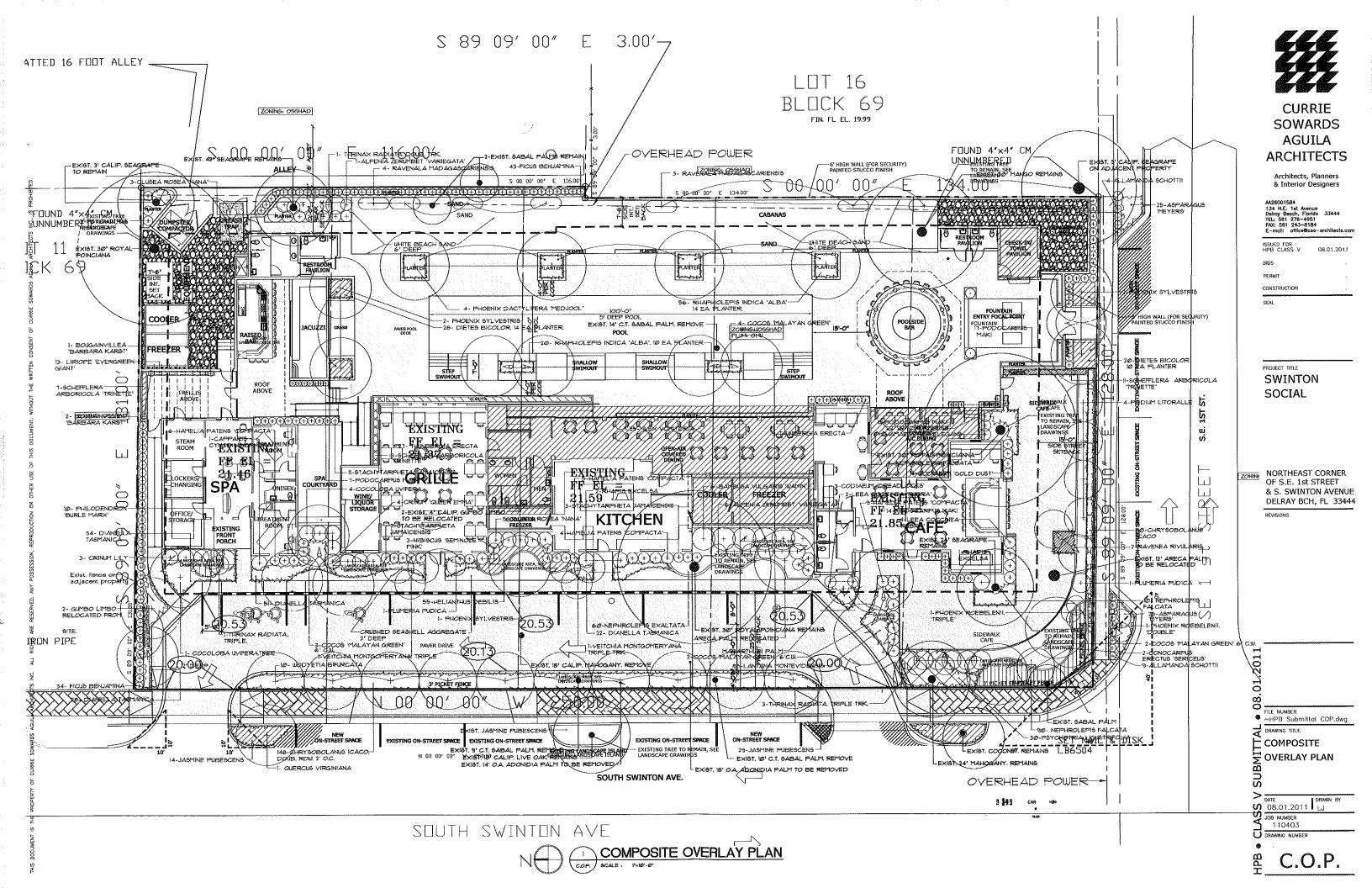
SILT FENCE INSTALLATION DETAIL D 9.1b Sheet 2 of 2

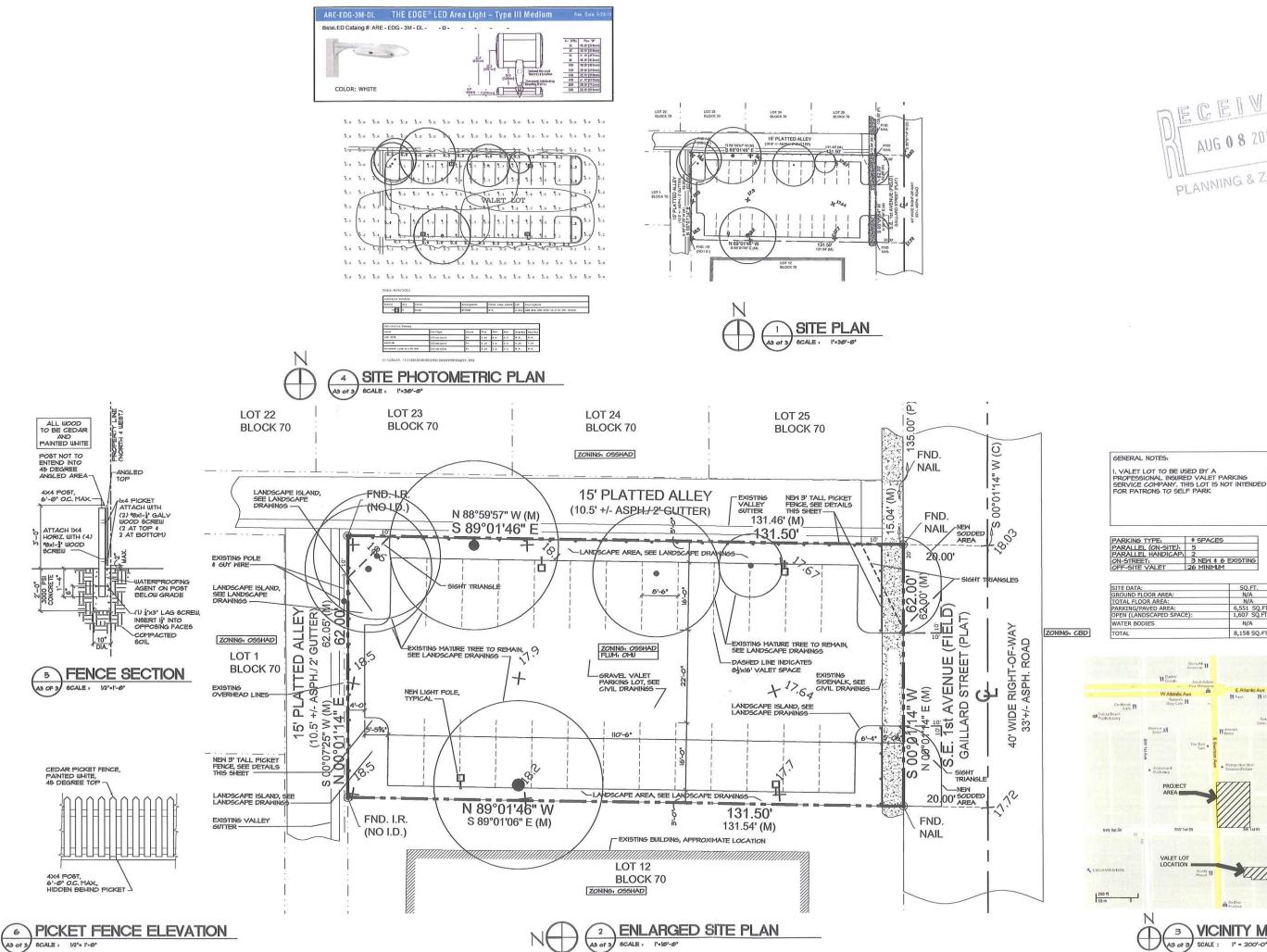


CALL 48 HOURS BEFORE YOU DIG. IT'S THE LAW 1-800-432-4770

SUNSHINE STATE ONE CALL OF FLORIDA, INC.









CURRIE SOWARDS AGUILA ARCHITECTS

> Architects, Planners & Interior Designers

AA26001584 134 N.E. 1st Avenue Delray Beach, Florida 33444 TEL: 561 276-4951 FAX: 561 243-8184 E-mail: office@csa-architects

BIDS

CONSTRUCTION

PROJECT TITLE

SWINTON SOCIAL

VALET LOT 104 S.E. 1ST AVENUE DELRAY BEACH, FL 33444

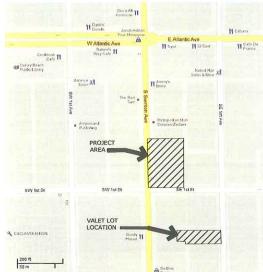
NORTHEAST CORNER OF S.E. 1st STREET & S. SWINTON AVENUE DELRAY BCH, FL 33444

201

SITE DATA:	SQ.FT.	%
GROUND FLOOR AREA:	N/A	N/A
TOTAL FLOOR AREA:	N/A	N/A
PARKING/PAVED AREA:	6,551 SQ.FT.	80 %
OPEN (LANDSCAPED SPACE):	1,607 SQ.FT.	20 %
WATER BODIES	N/A	N/A
TOTAL	8,158 SQ.FT.	100.0 %

SPACES

3 NEW & 6 EXISTING



FILE NUMBER DRAWING TITLE

PROPOSED SITE PLAN, DATA, ELEVATIONS, &

SITE DETAILS

> DATE DATE LJ DRAWN LJ DOB NUMBER 110403

A3 of 3

VICINITY MAP

DESCRIPTION:

LOT 11, AMENDED PLAT OF SUNDY AND CROMER'S SUBDIVISION OF BLOCK 70, ORIGINAL TOWN OF LINTON (NOW DELRAY BEACH), ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 17, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA, CONTAINING 8,152 SQUARE FEET MORE OR LESS.

SURVEY NOTES:

- 1. ALL PROPERTY CORNERS ARE SET IRON ROD & CAP D.S. & ASSOC., P.S.M.6422, UNLESS OTHERWISE NOTED.
- BELOW GROUND IMPROVEMENTS AND/OR ENCROACHMENTS, IF ANY, WERE NEITHER INVESTIGATED NOR LOCATED UNLESS SPECIFICALLY NOTED.
- THE UNDERSIGNED AND DJS SURVEYORS, INC. MAKE NO REPRESENTATIONS OR GUARANTEES AS TO THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS OF WAY, SETBACK LINES, AGREEMENTS AND OTHER MATTERS. SUCH INFORMATION SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY AND/OR EASEMENTS OF RECORD.
- THIS SURVEY IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE CERTIFYING SURVEYOR.
- BEARINGS SHOWN HEREON ARE REFERENCED TO THE WEST LINE OF GAILLARD STREET (NOW S.E. 1st AVENUE) HAVING AN ASSUMED BEARING OF S00°01'14"W AND ALL OTHER BEARINGS ARE RELATIVE THERETO. BEARINGS SHOWN FOR CALCULATION PURPOSES ONLY.
- SURVEY FIELDWORK WAS COMPLETED ON 7/29/11.
- LEGAL DESCRIPTION SHOWN HEREON WAS PROVIDED BY THE CLIENT.
- ELEVATIONS SHOWN HEREON ARE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (N.G.V.D. 29).
- BENCH MARK OF ORIGIN: PALM BEACH COUNTY ENGINEERING DEPARTMENT, BENCHMARK D 31, ELEVATION=17.810.
- 10. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY THIS FIRM.
- 11. BUILDING TIES SHOWN HEREON ARE TO THE EXTERIOR BUILDING WALLS AND ARE PERPENDICULAR OR RADIAL TO THE PROPERTY LINES.

LEGEND	:
--------	---

ASPH ASPHALT
B.M BENCH MARK
BST BELLSOUTH
TELECOMUNICATIONS
(C) CALCULATED
C&G CURB & GUTTER
CATV CABLE TELEVISION
C.B., CATCH BASIN
C.B.SCONCRETE BLOCK
STUCCO
CHATCHATAHOOCHEE
(C.F.T.) CALCULATED FROM
FIELD TRAVERSE
C.L.F CHAIN LINK FENCE
C.O SANITARY CLEAN-OUT
CONCCONCRETE
CONST CONSTRUCTION
COR CORNER
COV COVERED

ACDUALT

D.E	DRAINAGE EASEMENT
E	EAST
EL	ELEVATION
ELEC,	ELECTRIC
ENCR	ENCROACHMENT
EOP	EDGE OF PAVEMENT
E.O.W	EDGE OF WATER
EXT	EXTENDED
F. HYD;	FIRE HYDRANT
FND	FOUND
FPL	FLORIDA POWER & LIGHT
H.H	HAND HOLE
I.R	IRON ROD
LP	IRON PIPE
MH	MANHOLE
	NAIL IN DISK

NIT	NAIL IN TAB
N	NORTH
(N,R.)	NON-RADIAL
N.V.A.L	
OHW	OVERHEAD WIRE
O.R.B	OFFICIAL RECORD BOOK
	PLAT BOOK
	POINT OF CURVATURE
	PERMANENT CONTROL
POINT	
PG	PAGE
P.I	POINT OF INTERSECTION
	POINT OF
COMMEN	CEMENT
P.P	POWER POLE
	PERMANENT REFERENCE
	MONUMENT

DRAWN BY:

R/W	RIGHT-OF-WAY
(RAD.)	RADIAL
REF	REFERENCE
	RESIDENCE
	SANITARY
S.B	SOUTHERN BELL
	SERVICE
\$	
\$TY,	
	STRADDLED
	UTILITY EASEMENT
	VALLEY GUTTER
NIV A I	NON-VEHICULAR ACCESS
LINE	
W	MEST
	WOOD FENCE
	WATER METER
	COUNTY
RECORDS	

				S.E. 1sT STREET (FIEL RAYMOND STREET (PI	D) LAT)	25.00 (C)	PROPERTY ADDRESS 104 S.E. 1st AVENUE DELRAY BEACH, FL 33444
				FND. NID LB #6504	20.00'	25 ENSITE OUT (C) TO THE PART OF THE PART	
LOT 22 BLOCK 70	LOT 23 BLOCK 70		LOT 24 BLOCK 70	LOT 25 BLOCK 70	(d) 135.00 FND.	7. W (C)	
	FND, I.R. (NO I.D.)	N 88°59'57" W (M) S 89°01'46" E	15' PLATTED ALLEY (10.5' +/- ASPH./ 2' GUTTER)	131,46' (M) 	FND.	S 00.01.14" W (C)	
	ANCHOR WOOD P.P.	+ 49,		1.6>	62.00° (M) 62.00° (M) FIELD)		
15' PLATTED ALLEY (105' +, ASPHJ 2' 6UTER) 725' W (M)	Overhead wires	+	LOT11, BLOCK 70 "VACANT" (TREES NOT LOCATED)	BROKEN ASPHALT	S 00°01'14" W 65 N 00°01'14" E (M) 62. S.E. 1st AVENUE (FIELD)	GAILLAND STREET (PLN) C 40 WIDE RIGHT-OF-WAY 33+4- ASPH, ROAD	NORTH
- 20°00°0	00 N 10 N	N 89°01'46" W	State and contributed by the first from a group of the state of the st	131.50'	0 z 0 20.00°	- 12	,
	FNO. I.R. (NO I.D.)	S 89°01'06" E (M)	LOT 12 BLOCK 70	131.54' (M)	NAIL		

THE N.F.I.P. FLOOD MAPS HAS DESIGNATED THE HEREON DESCRIBED PROPERTY TO BE IN ZONE X BASE FLOOD ELEVATION _ - FEET COMMUNITY NO. 125102 PANEL NO. 0004 D DATE OF FIRM 1/5/89 1/5/89 FIRM INDEX DATE __

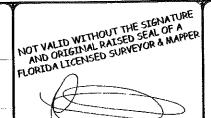
SYMBOLS 目 CATCH BASIN . CENTER LINE . FIRE HYDRANT , GATE VALVE ., HAND HOLE MANHOLE ... POWER POLE ., LIGHTPOLE . EXISTING ELEVATION

DISSURVEYORS.

SU

DOG GOM A EL E ORGO	JOALL.	
INCORPORATED	1" = 30'	D,S.
SURVEYORS & MAPPERS	FIELDBOOK/PAGE	CHECKED BY:
8461 LAKE WORTH ROAD, #403 LAKE WORTH, FL 33467	FILE	D.J.S.
PH (561) 847-2866 FAX (561) 734-4910 www.djssurveyors.com	JOB NUMBER:	SIGNATURE DATE:
CERTIFICATE OF AUTHORIZATION NO. LB 7870	11-081	8/1/11

SCALE:



DONALD J. SULLIVAN PROFESSIONAL SURVEYOR & MAPPER FLORIDA REGISTRATION NO. 6422

MAP OF BOUNDARY SURVEY

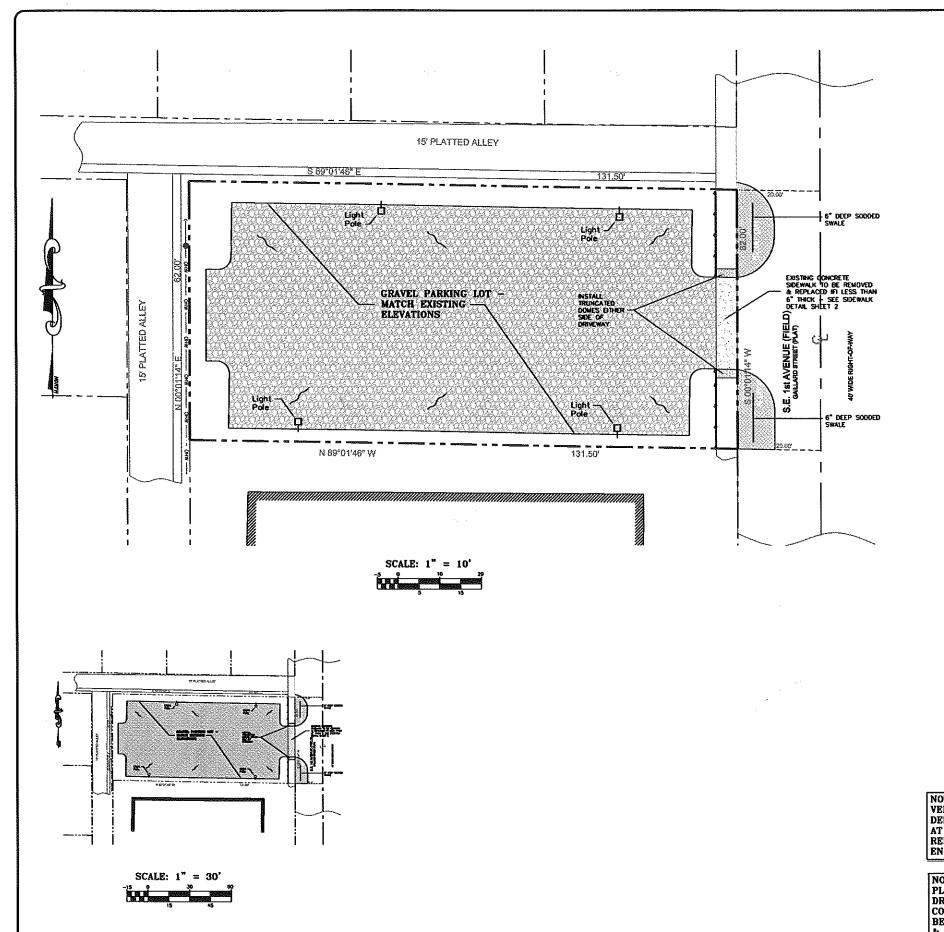
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LOCATION MAP N.T.S.

LEGEND:

SECTION IDENTIFIER PLAN PAGE DETAIL PAGE



PROPOSED ELEVATION DIRECTION OF FLOW EXISTING ELEVATION



DENOTES AREA OF EXISTING PAVEMENT TO BE REMOVED

DENOTES AREA OF CONCRETE SIDEWALK

NOTE: CONTRACTOR TO FIELD VERIFY EXACT LOCATION, SIZE, AND DEPTH OF ALL EXISTING UTILITIES AT TIME OF CONSTRUCTION AND REPORT ANY DISCREPANCIES TO ENVIRODESIGN ASSOCIATES, INC.

NOTE: ANY TREES OR SHRUBS PLACED WITHIN WATER, SEWER OR DRAINAGE EASEMENTS, THEY SHALL CONFORM TO THE CITY OF DELRAY BEACH STANDARD DETAILS; LD 1.1 & LD 1.2

CALL 48 HOURS BEFORE YOU DIG. IT'S THE LAW 1-800-432-4770

SUNSHINE STATE ONE CALL OF FLORIDA, INC.

NOTE: ALL WATER METER SIZES TO BE DETERMINED BY CITY OF DELRAY BEACH UTILITY DEPARTMENT

B.A.B. CHECKED: J.A.P.

FOR: LOT

CIVIL SITE IMPROVEMENTS PLAN FO SWINTON SOCIAL VALET I 104 SE 1ST AVE DELRAY BEACH, FLORIDA

DATE: 7/27/11

DRAWN:

JOB NO. 11049-ENG

SHEET NO. 1 of 4

H MICHAEL FAY: LANDSCAPE ARCHITECT REG.# 540 420 N.W. 7th ST., DELRAY BCH., FL., 33444 PH. 561-306-4003

LANDSCLAPE ARCHITECT: MICHAEL PAY, ASLA REG. NO. 640

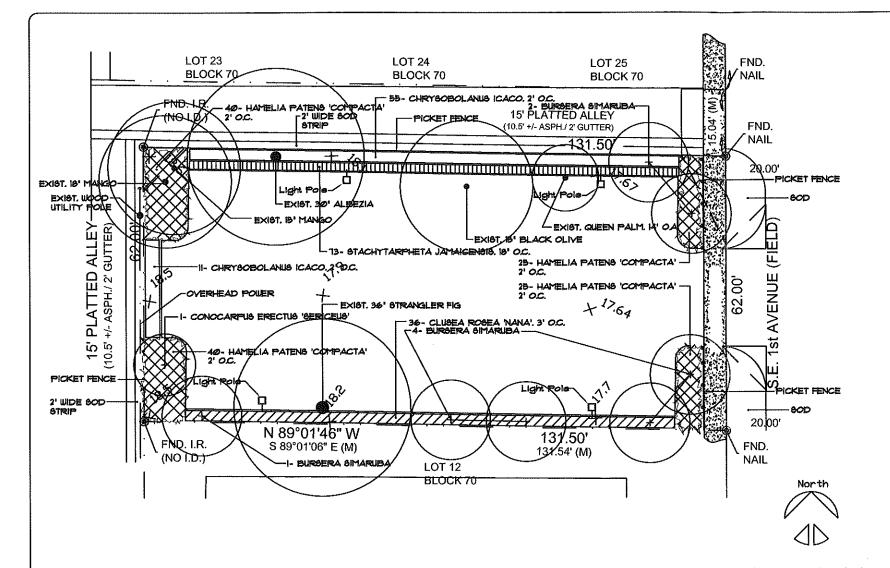
PROJECT: SWINTON SOCIAL VALET LOT 104 S.E. IST ave. DELRAY BEACH, FLORIDA, 33444

LANDSCAPE DEVELOPMENT PLAN

DATE:
B-B-11
DRAWN BY:
M. FAY
CRECTED BY:

SHEET NO.

48 HOURS BEFORE DIGGING BROWNS - PALM BOARD - BOARD SWEET ST. LICHEY - PARTIN COLUMNAS TOLL TOLL FIRST 1-800-432-4770 FOR UNDERSONNED LICHTER HOTPEDSTORM AND LICHTER



LANDSCAPE (CALCULATION	FO	RM
MULTIPLE FAMILY,	COMMERCIAL	&	INDUSTRIA

CITY OF DELRAY BEACH (561) 243-7200

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79-	rofal riskner og harvet trens Resolutio		199
8.	ACADAL AND ROBOT OF AND ROBOT OF ALAN		

YITITALIS	SCIENTPIC NAME	(COMMON NAME)	SPECIFICATIONS	NATIVE
ELPHINI I		(COT ION ION E /	O'EOFONIONE	1441114
	EXIST. TREES AND PALMS TO REMAIN		mt A41 NA	YES
<u>I</u>	BLACK OLIVE		B'CALIP.	
2	MANGO		1918' CALIP, 198' CALIP.	NO.
1	CLEEN PALM		H' OA	NO.
	ALBEZIA		3g' CALIF.	NO.
!	STRANGLER FIG		36' CALIP.	YES
	NEW TREES AND PALMS			
1	COCOCARPUS ERECTUS 'SERICEUS'	(SILYER BUTTONNOCD)	9' OA × 8-9' 6FR, MLTI-STERT, B49	YES
9	purcera charuba	(GUMBO LIMBO)	19' OA X 6-1' SFR, 5' CALIP, 248	YES
	SHRUBS AND EXOTICS			
75	STACHYTARPHETA JAMAICENSIS	(BLUE PORTERUEED)	3 GAL, 18' OA X 18' 8FR, 18' OC.	YES
135	HAMELIA PATENS 'COMPACTA'	(DULARP FIREIBUSH)	3 GAL, 24' OA X 24' 51'PR, 2' OC.	YE8
66	CHRYSOBOLANUS ICACO	(COCOPLUM)	3 GAL., 24' OA. × 24' SPR., 2' O.C.	YES
36	CLUSEA ROSEA NANA'	(DUARP PITCH APPLE)	B GAL, 5'OA × 35' 6門代, 36' OC.	YE6
	8 <i>0</i> D			
400 SP.	ST. AUGUSTINE TLORITAT! VAR. SOD		RILL 800	

LANDSCAPE NOTES:

- 1, ALL PLANT MATERIAL SHALL CONFORM TO THE STANDARDS FOR FLORIDA NO. 1 DR BETTER, AS GIVEN IN 'GRADES AND STANDARDS FOR NURSERY PLANTS,' PART 1, 1963, AND PART II, STATE OF FLORIDA, DEPARTMENT OF AGRICULTURE, TALLAHASSEE, FLORIDA
- 2. IT SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO VERIFY LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO BEGINNING WORK.
- ALL PLANT BEDS TO RECEIVE 10' OF 50/50 MIX. 50% SAND,50%MUCK 4. IT SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO
- PROVIDE A SMOOTH UNIFORM GRADE PRIOR TO INSTALLING SOD. AN IRRIGATION SYSTEM SHALL BE INSTALLED PROVIDING 100% COVERAGE TO ALL LANDSCAPE AREAS. ALSO, DNE MINI-CLIC, DR EQUAL, MOISTURE SENSOR SHALL BE INSTALLED WITH THE NEW IRRIGATION SYSTEM.
- 6, SEE SHEET L-3 (SWINTON SOCIAL) FOR ADDITIONAL INSTALLATION DETAILS AND SPECIFICATIONS.
- 7. GENERAL CONTRACTOR SHALL OBTAIN TREE REMOVAL PERMITS AS REQUIRED BY THE CITY. IF APPLICABLE.
- 8. ALL TREES AND PALMS TO BE PROPERLY STAKED AFTER PLANTING. SEE DETAILS SHEET L-3
- PLANS TAKE PRECEDINCE OVER MATERIALS LIST. IT SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO VERIFY ALL MATERIALS ON PLANS BEFORE SUBMITTING BID.

48 HOURS BEFORE DIGGING EROSEARD - PALLI REACH - BROWN RAFER ST. LUCKE - MARTIN COUNTRIS 1-800-432-4770

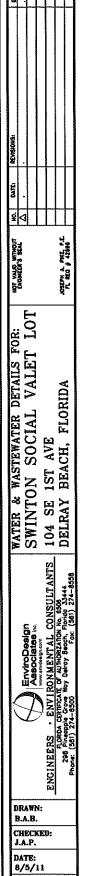
ARCHITECT . FAY: LANDSCAPE ARCHIT REG.# 540 7th ST., DELRAY BCH., FL., 3 PH. 561-306-4003 7th N.W.

PROJECT: SWINTON SOCIAL VALET LOT 104 S.E. 15T ave. DELRAY BEACH, FLORIDA, 33444

PLAN

LANDSCAPE DEVELOPMENT

SHEET NO.



JOB NO. 11049-DTL

SHEET NO. 3 of 4 45

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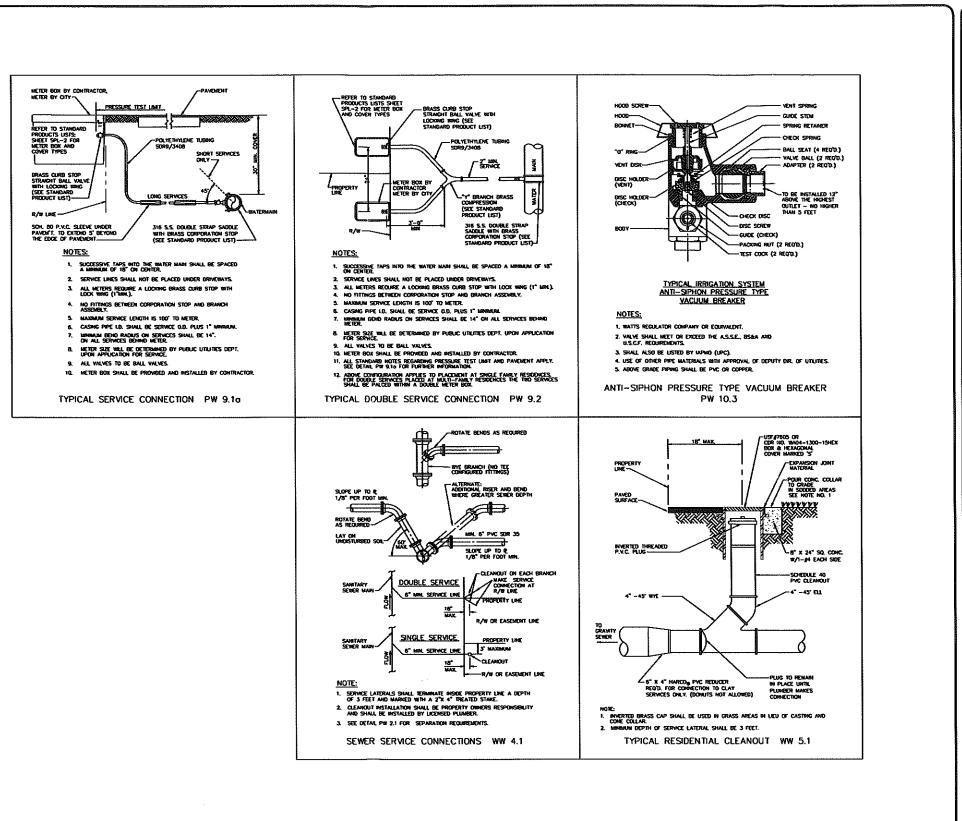
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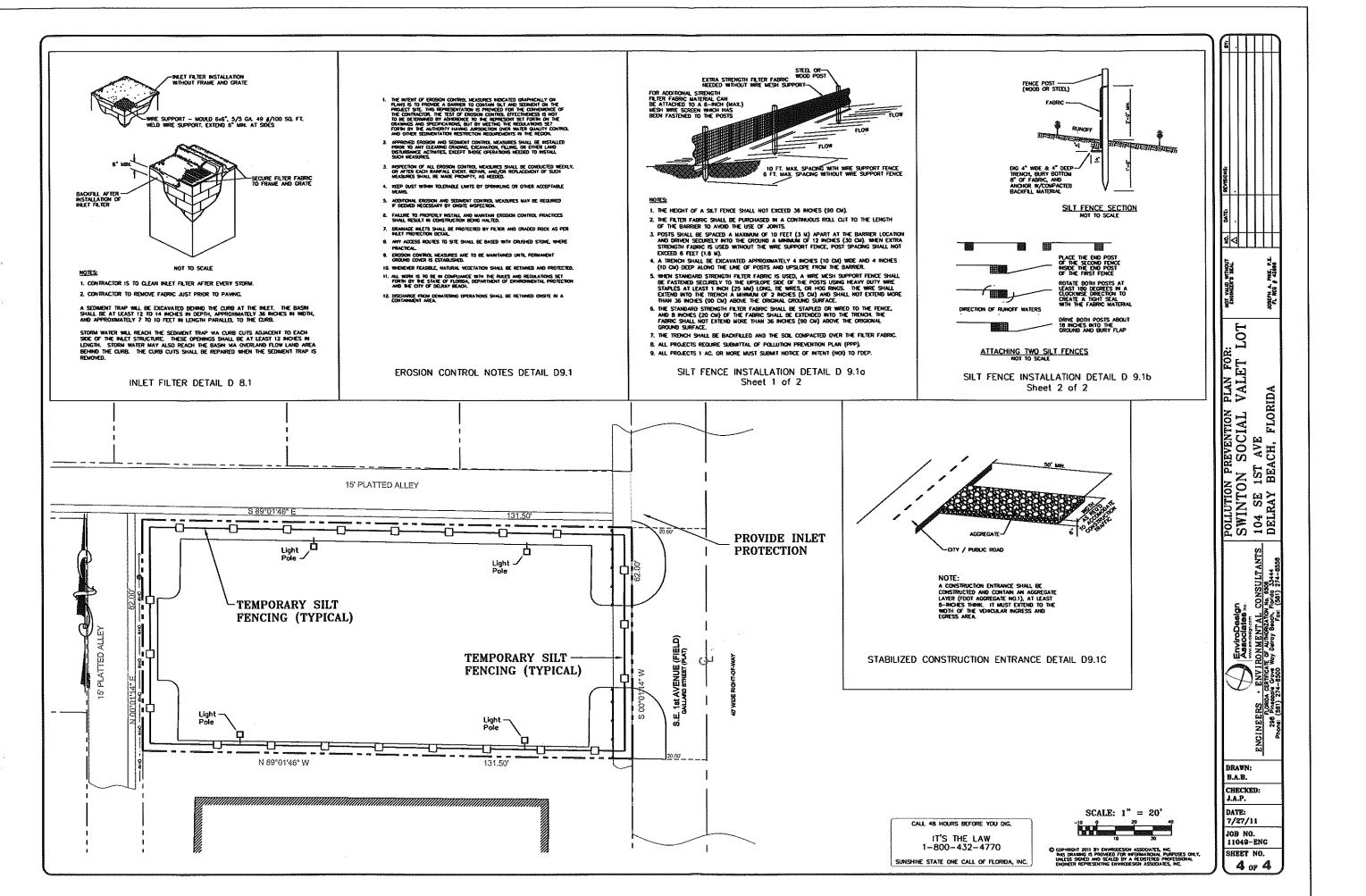
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