



BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

354 SE 5th Avenue

Request

Site Data & Information

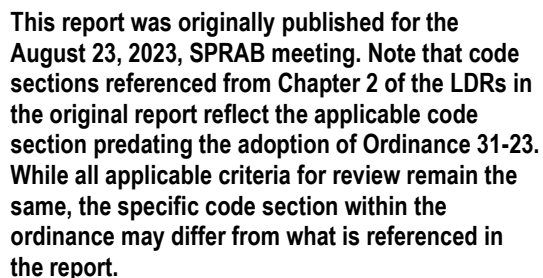
PCN: 12-43-46-21-01-104-0070

- **North, South, and East:** CBD - Central Core Sub-district
- **West:** Single Family Residential (R-1-A)

- Existing: NA
- Proposed: 1.47
- Maximum allowed: 3.0

- **Existing:** NA
- **Proposed:** 17 du/acre
- **Maximum allowed:** 30 du/ac

- **SE 5th Avenue:**
-Primary Street





Background

The subject property consists of four originally platted lots, unified under same deed, all of which currently sit vacant. The lots previously contained low scale residential structures, some of which were converted to office uses as is typically found for lots fronting a major arterial corridor.

In 2022, a site plan application was submitted for the new construction of a three story, 8-unit, approximate 36,000 sq. ft. townhouse development. Three waivers to various requirements of the CBD code were previously pursued by the applicant, however the project has since been revised to no longer require relief from these requirements. No waiver to a CBD regulation is pursued, although a waiver request still remains pertaining to the general landscape code as discussed later in the report.

This project was considered at the August 23, 2023, SPRAB meeting, and while there was general support for the project, direction was given by Board members requesting that the applicant provide better quality renderings and visual graphics that more successfully convey the design in a digestible and clear way. There was consensus that the original graphics provided were unsuccessful in providing needed clarity. As such, the item was continued. The applicant has subsequently provided revised renderings they believe adequately address the concerns of the Board.



(Updated rendering)

Description of Proposal

The proposed project consists of an 8-unit, three-story townhouse development wherein each unit reflects the same floor plan. The units are comprised of three-bedrooms, an interior courtyard, a two car garage, and a raised pool deck in the rear elevated above the garage and driveway. The project proposes an architectural design reflective of the masonry modern style, and while a new code provision has been adopted that requires special approval of the City Commission to utilize the masonry modern style, this project was submitted for consideration prior to the code amendment, and therefore the revised provision does not apply. The design includes an elevated porch frontage type for six of the units with elements that vertically extend the full three stories of the structure, and the connection between the building and the public realm is enhanced by a fully landscaped streetscape with an oversized eight-foot sidewalk that exceeds the minimum pedestrian clear zone requirement of six feet. The two centrally located units have a stoop frontage type and are accented by the forecourt civic open space. The forecourt, which is cut out from the building mass, will incorporate an element of public art and deliver a landscaped alcove for public enjoyment that integrates well into the streetscape.



There is no vehicle access provided along the SE 5th Avenue frontage, which is beneficial in preserving the integrity and quality of the pedestrian experience; with vehicle access and trash pick-up instead being routed through the alley at the rear of the property.

**Review & Analysis: Site Plan and Zoning****LDR Section 2.4.5(F), Class V Site Plan**

A Class V Site Plan is an application for new development of vacant land which requires full review of Performance Standards found in Section 3.1.1.. In addition to provisions of Chapter 3, the approving body must make a finding that development of the property as represented by the Class V site plan or MDP will be compatible and harmonious with adjacent and nearby properties and the City as a whole, so as not to cause substantial depreciation of property values.

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

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

3.1.1(A), Land Use Map

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

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

3.1.1(B), Concurrency

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

Potable Water and Sewer: Water and sewer services will be connected to adjacent available networks pursuant to approval of the utilities plan reviewer. Pursuant to the Comprehensive Plan, treatment capacity is available at the City's Water Treatment Plant and the South-Central County Wastewater Treatment Plant for the City at build-out.

Drainage: Drainage and water run-off will be addressed through on-site retention, which should not impact the level of service standard.

Transportation: A Traffic Performance Standards (TPS) letter has been provided by Palm Beach County indicating the project meets concurrency standards with an anticipated net daily increase of 59 trips, generating a total of 4 new trips at AM peak hour and 4 new trips at PM peak hour.

Parks and Open Space: A park impact fee of \$500 per residential unit will be applied at time of building permit.

Solid Waste: The Solid Waste Authority has indicated that its facilities have sufficient capacity to accommodate all development proposals until 2054.

Schools: A SCAD application has been submitted to the School Board for review. The applicant will be required to pay any impact fee levied by the School Board, and an approved SCAD letter will be required prior to site plan certification.

**3.1.1(C), Consistency**

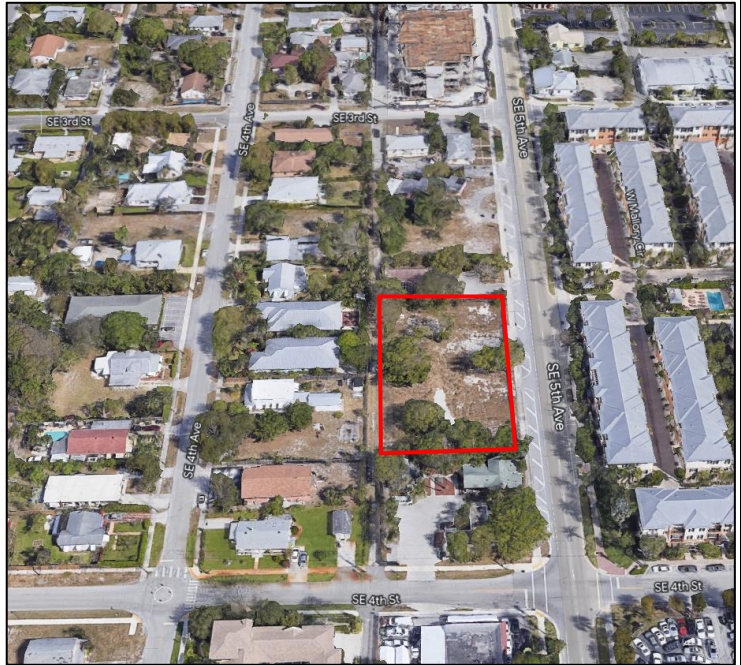
A finding of overall consistency may be made even though the action may be in conflict with some individual performance standards contained within Article 3.2, provided that the approving body specifically finds that the beneficial aspects of the proposed project (hence compliance with some standards)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

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

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

The applicable subsections of Article 3.2, Performance Standards, are Section 3.2.1, which requires a determination of consistency with the Comprehensive Plan, and Section 3.2.3, which provides standards for site plan actions. The proposed development generally meets the applicable standards; however, there are concerns with "G", which requires that "a variety of housing types be provided to accommodate the City's growing and socio-economically diverse population..." It is acknowledged that the additional units will provide additional housing options consisting of three-bedrooms within the downtown area, yet they will likely not the growing and socio-economically diverse population.

Otherwise, there are no significant areas of concern with regard to impacts from the overall site configuration and building design on the surrounding area. The site improvements remain well within the allowable thresholds for the land use and zoning district. The building massing is broken up through the articulation of design elements and material variation as well as the incorporation of the civic open space at the middle of the structure where increased recesses in the façade and the accompanying vertical louver feature adds movement across the structure. Furthermore, the proposed architectural style is an interesting execution of masonry modern that departs from the typical, and largely generic, version of the style as is seen more regularly in contemporary projects.

**Comprehensive Plan**

Overall, the proposed application is consistent with any applicable Goals, Objectives, or Policies of the Comprehensive Plan, particularly those of the Neighborhood, Districts, and Corridors Element. The Proposal includes the redevelopment of a vacant lot within the parameters of the CBD regulations that encourage development at a scale consistent with the development pattern found throughout the adjacent area.

Neighborhoods, Districts, and Corridors Element

Policy NDC 1.3.7 Implement the Commercial Core land use designation using form-based code to provide for adaptive-reuse, development, and redevelopment that preserves the downtown's historic moderate scale, while promoting a *balanced mix of uses that will help the area continue to evolve into a traditional, self-sufficient downtown. This designation is applied to the Community's downtown area. It includes a substantial portion of the Transportation Concurrency Exception Area described in the Future Land Use Element and graphically shown in Map 9. The Commercial Core designation accommodates a variety of uses including commercial and office development; residential land use upper story apartments; older homes renovated to accommodate office use; and uses such as "bed and breakfast" establishment; and industrial/commerce type uses.*

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

Housing Element



Policy HOU 3.1.2: Protect existing established residential neighborhoods from the encroachment of nonresidential uses, except for strategic locations where such transition is planned in support of multimodal improvements, mixed-use development, or an adopted neighborhood plan.

Policy HOU 3.1.4: Encourage development of vacant or underdeveloped land for housing and mixed-uses, and promote rehabilitation of underutilized housing into desirable places to live.

Policy HOU 1.1.6: Promote good design in new housing construction and rehabilitation that highlights beauty, flexibility, and innovation, and respects existing neighborhood character.

Policy MBL 2.6.1: The City shall not abandon alley rights-of-way, and recognizes the important functions alleys provide by dispersing traffic, diversifying access points to properties, providing for multimodal access, and facilitating local trips.

Policy MBL 2.6.2: The City shall maintain the existing network of alleys in the downtown, which provide multiple benefits that enhance the quality of the area:

- Providing access for sanitation collection
- Providing locations for utilities
- Minimizing commercial deliveries from occurring in the primary street network
- Reducing pedestrian-vehicular conflict points on the sidewalk

When adjacent to single-family residential, the CBD regulations assist in the transition into a neighborhood by providing a greater setback above the 3rd story, as single-family residential districts have a maximum height of 35 feet. Nevertheless, the addition of a multi-story building, immediately abutting existing one-story single-family residences will naturally have an impact given the difference in overall scale, even if only containing three-stories. It is acknowledged that the additional units will provide additional housing options in close proximity to the downtown, yet they will likely not “accommodate the City's growing and socio-economically diverse population.” Further, the residential uses are the least impacting given the development potential of the site and other allowed uses.

The Always Delray Comprehensive Plan speaks to the provision of diverse housing types throughout the city. While luxury townhomes are very common and continue to be developed in Delray Beach, the provision of eight additional units will add to the needed unit mix in the downtown area.



Policy NDC 2.7.18: Consider the vision and strategies in the Osceola Park Redevelopment Plan Update (2019) when assessing rezoning requests, reviewing development applications, and planning public infrastructure projects.

The subject property is within the Osceola Park plan area and provides a buffer between the mixed-use Federal Highway corridor and the residential neighborhood. The Osceola Park Redevelopment Plan was adopted by the City Commission on December 6, 2004, and more recently updated in 2019. The primary focus of this redevelopment plan is to arrest deterioration, provide adequate parking and services for the existing industrial and commercial areas, and accommodate housing that is compatible with the other uses throughout the neighborhood. Future development must be in accordance with the provisions of the redevelopment plan. Strategy 2.3 of the Plan is generally met as the project's scale will aid in creating a transition between the single-family area to the west from the more intense development allowed under the adjacent CBD zoning.

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

Whenever an item is identified elsewhere in these Land Development Regulations (LDRs), it shall specifically be addressed by the body taking final action on a land development application/request. Such items are found in Section 2.4.5 and in special regulation portions of individual zoning district regulations.

Section 4.4.13, Central Business District

Standard/Regulation	Review	
Height Table 4.4.13(C)	Maximum: 54 feet, 4 stories Proposed: 39 feet, six inches feet - measured height of flat roof, 3 stories	
Setbacks	Required: Front: 10-15 feet Front Above 3rd Story: 20 feet Side: 0-5 feet Rear: 10 feet Proposed: Front: 10 feet – 12 feet, 11 inches Front Above 3rd Story: N/A Side: 2 inches Rear: 12 feet – 14 feet, 9.5 inches	
Dwelling Unit Standards, Diverse Unit Types 4.4.13(D)(1)(d)1.	Residential development with less than 12 units are not required to provide a mix of units type, <i>“however, a mix of unit types and sizes is encouraged.”</i> The request includes eight residential units, comprised of three bedroom units, 3,365 to 3,662; Units 4 and 5 contain less square footage.	
Streetscape Standards 4.4.13(E)(2)	The project complies with the minimum requirements of the CBD streetscape standards.	
Minimum Streetscape Width	Required: 15 ft Curb Zone: 4 ft (min.) Ped. Clear Zone: 6 ft (min.) Remaining Front Setback Area: up to 15 ft Provided: 17 ft – 21 ft, 5 in Curb Zone: 7 ft, 9 in – 8 ft, 5 in Ped. Clear Zone: 8 ft Remaining Front Setback Area: 2 ft – 5 ft, consists of shrubs and pathways to the stoops and porches for the units, as well as the Forecourt.	
Remaining Front Setback Area 4.4.13(E)(2)(a)3.	Required: Hardscape or Landscaping comprised of plants in removable planters, palms and/or ground planting may be installed adjacent to the building provided views into storefront windows are not obstructed. Proposed: The remaining front setback area contains hardscaping and ground plantings (shrubs) in front of each porch.	
Frontage Type: Porch (Units 1 – 3, 6 – 8) 4.4.13(E)(4)(a)	Required: Building Setback: 10 to 15 ft Depth: 8 to 12 ft Width: 40% - 100% of the façade Floor Elevation: 0.5 – 4 ft Allowable Encroachment: maximum 8 ft*	Proposed: Building Setback: 10 ft - 12 ft, 11 in Porch Depth: 8 ft Porch Width: 100%, of each unit Porch Floor Elevation: 3 ft, 0.5 in Porch Encroachment: 8 ft



Frontage Type: Stoop (Units 4 & 5) 4.4.13(E)(4)(b)	Required: Building Setback: 10 to 15 ft Depth: 5 to 8 ft Width: 4 ft (min.) Floor Elevation: 1 – 4 ft Allowable Encroachment: maximum 5 ft* *May not encroach into the curb zone or pedestrian clear zone	Proposed: Building Setback: 17 ft – 17ft, 4in* Depth: 8 ft Width: 6 ft Floor Elevation: 3 ft, 0.5 in Encroachment: No encroachment * The stoops are aligned with the setback of the adjacent forecourt, providing entrances to 2 of the units.
Architectural Elevations 4.4.13(F)	A review of the CBD architectural requirements is provided under the Architectural Elevations section of the report.	
Civic Open Space - Forecourt LDR Section 4.4.13(G) (Units 4 & 5) 4.4.13(E)(4)(d)	Given the required amount of Civic Open Space at 234 sf, the Public Art type is required, which is required for required spaces less than 250sf. However, the applicant has opted to provide a Forecourt as the Civic Open Space, which is an option for required spaces of 250sf – 1,500sf.	
	Required: 234 sf Building Setback: 10 to 15 ft Depth: 10 ft to 20 ft Width: 20 ft to 50% of facade Floor Elevation: 0 – 3 ft Allowable Encroachment: maximum 5 ft* *May not encroach into the curb zone or pedestrian clear zone.	Proposed: 525 sf Building Setback: 4 ft - 5 ft Depth: 13 ft, 9in Width: 38 ft, 2in (19% of width) Floor Elevation: 0 in. Encroachment: No encroachment
	NOTE: The forecourt requirements anticipate that the building will not be encroaching into the setback area; the porch frontage type is able to encroach, thereby adjusting the front of the building. The forecourt depth and overall square footage is then able to be taken from the adjacent porches for a total of 525 sf. The detail of the Civic Open Space does, however, include a centrally located sculpture, i.e. meeting the Public Art requirement. <u>The sculpture will require Public Art Advisory Board approval prior to installation.</u>	

Other Requirements

Standard/Regulation	Review
Lighting (Photometric Plan) 4.6.8(A)(3), Illumination Standards: Table 2	Illumination spillover is limited to the maximum degree feasible given the minimum illumination requirements for street lighting, off-street parking illumination, and lighting at the building entrance.
Off-Street Parking	Required: 1.75 spaces per unit (2BR or more), plus 0.5 guest spaces per unit (18 total); 3% of required parking as Alternative Fuel Spaces. Provided: 24 total; two-spaces provided in the garage of each unit as well as a guest space in the driveway of each unit. 1 Alternative Fuel Space is required – this confirmation is added as a technical note.
Bicycle Parking LDR Table 4.4.13(M)	Required: 1 space per 10 units Provided: 2 spaces are provided in front of Unit 8, adjacent to the Pedestrian Clear Zone.

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

**Review & Analysis: Landscape Plan****LDR Section 2.4.5(H)(5), Findings**

At the time of action on a landscape plan, the approving body shall make finding with respect to the proposed plan's relationship to the following:

- (a) Objectives of landscaping regulations Section 4.6.16.;*
- (b) Site and landscape design standards pursuant to Section 4.6.16.*

An overall determination of consistency with respect to the above items is required in order for a landscaping plan to be approved.

The Landscape Plan has been reviewed for technical compliance by the Landscape Plan Reviewer and the scope of work has been deemed to comply with all applicable regulations, with the exception of the waiver as discussed below. A thorough mix of shade trees, shrubs, and ground landscaping is interspersed throughout the site to help soften the mass of the building as viewed from the right of way. Shade trees are provided in the rear parking area as well as along the pedestrian sidewalk adjacent to 5th Avenue. The civic space is well landscaped with foundation shrubs lining the elevated porches to help the frontage type integrate into the streetscape.

Landscape Waiver

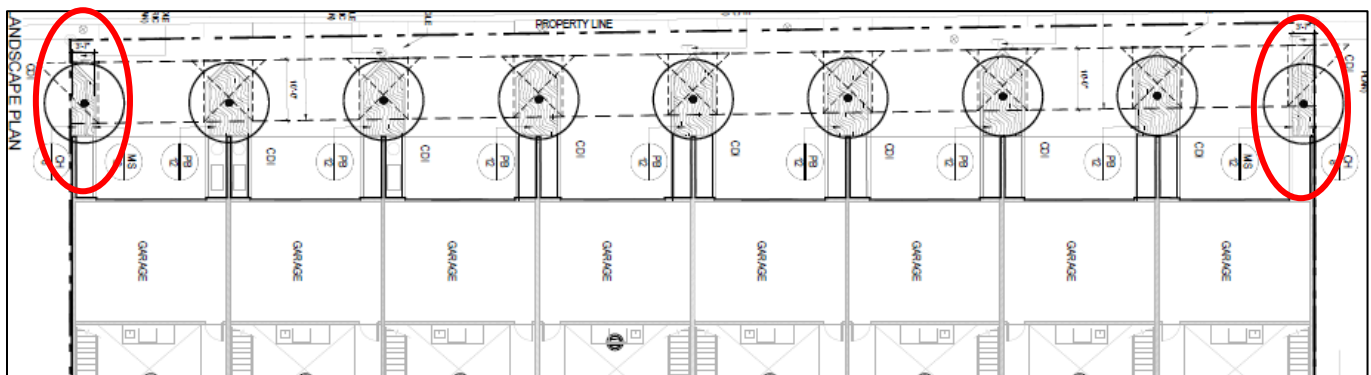
Pursuant to LDR Section 4.6.16(H)(3)(d), a landscaped barrier shall be provided between the off-street parking area or other vehicular use area and abutting properties. The landscape barrier may be two feet at the time of planting and achieve and be maintained at not less than three nor greater than six feet in height to form a continuous screen between the off-street parking area or vehicular use area and such abutting property. This landscape barrier shall be located between the common lot line and the off-street parking area or other vehicular use area in a planting strip of not less than five feet in width that is free of any vehicular encroachment, including car overhang.

Findings. Prior to granting a waiver, the granting body shall make findings that the granting of the waiver:

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

The applicant is proposing a landscaped barrier between the driveways for the end units and the adjacent property lines, as is required, however the width of the landscape area proposed is three feet, seven inches (four feet including curb) rather than the minimum required of five feet. The reduced width, however, is still able to accommodate a shade tree and hedge row of 24 inches in height to provide screening of the vehicular use area from adjacent properties, thereby still meeting the intent of the code to the maximum degree feasible. The landscaped islands between each driveway for each unit provides a width of six feet, four and one half inches (excluding curbing) that accommodates shade trees and other landscaped accents.

In consideration of the criteria, the reduced width along the ends does not have a negative impact on the neighboring area, as the similar amount and/or type of landscaping has been provided. Most importantly, the required shade tree (16 ft Pigeon Plum) has been provided. Public facilities will not be impacted by the reduction, nor will it create an unsafe situation. Similar circumstances would be considered for the same type of request, thereby not resulting in the granting of a special privilege.





Review & Analysis: Architectural Elevations

LDR Section 2.4.5(l)(5), Architectural (appearance) elevations: Findings

At the time of action on architectural elevations the approving Board shall make findings with respect to the objectives and standards as contained in the architectural regulations, **Section 4.6.18**. An overall determination of consistency with respect to the above is required in order for an architectural plan to be approved.

LDR Section 4.6.18, Architectural Elevations and Aesthetics

(A) Minimum Requirements

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

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

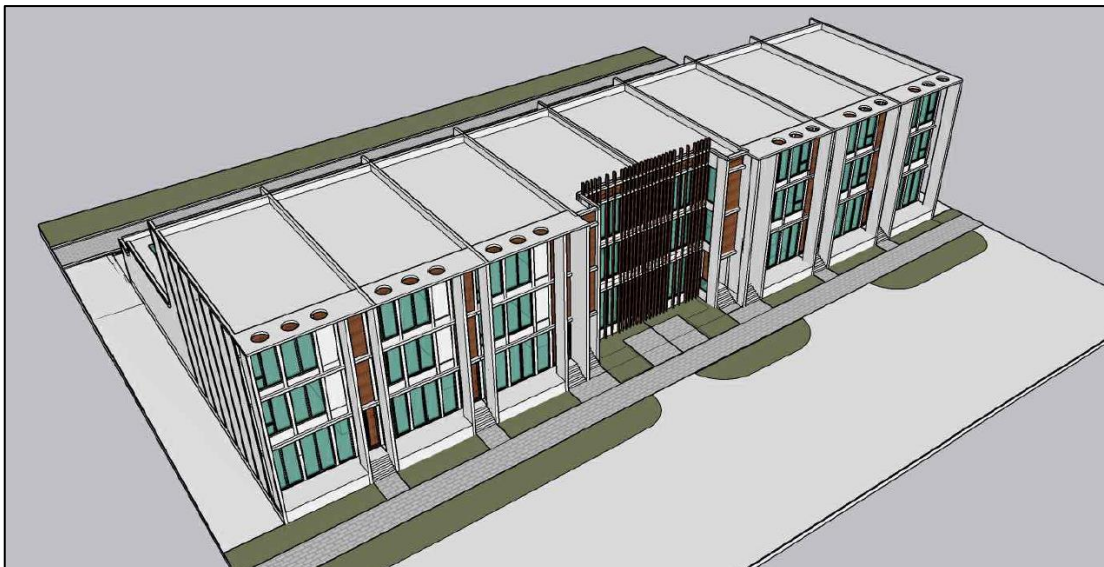
(E), Criteria for board action

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

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

The proposed development is generally in conformity with good taste and good design as it incorporates many elements of the Masonry Modern architectural style outlined in the Delray Beach CBD Architectural Guidelines. The overall design and quality appearance is not anticipated to "materially depreciate" the adjacent properties or other properties in the vicinity. Further, there are no specific design elements identified that are not in keeping with the architectural style or the intent of the Criteria for Board Action.

The proposed design is a unique execution of Masonry Modern that departs from the more commonly proposed versions of the style that are typical and largely generic. As is customary with Masonry Modern, stucco is a prominent material used with teak wood accents that contrasts well with the glass and white stucco. The large break in the building with the forecourt adds an interesting articulation to the building that is not commonly proposed. Nevertheless, the proposal is anticipated to add interest to the SE 5th Avenue corridor, while contributing to the image of the City with the high quality design.



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

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

Standard/Regulation	Review
Façade Composition Tripartite Composition: Base Middle, Top 4.4.13(F)(2)	The improvements meet the intent of the building composition requirements. The glazing patterns, detailing, and setbacks differentiate the base from the middle and the top. The base is emphasized with a Porch frontage type along a majority of the building, the middle is a simple linear section of the building, while the top is accented by the overhang.
Appropriate Architectural Styles 4.4.13(F)(3)	Proposed Style: Masonry Modern Style Details Utilized: Use of stucco with teak wood-finishes, flat roof, use of white as a primary color, ratio of glass to wall and use of simple geometrics emphasize solidity of the structure.
Walls 4.4.13(F)(4)	Required: Maximum two primary material's appropriate to architectural style Provided: Smooth stucco and teak wood accents
	Required: Maximum four base wall colors Provided: White accented with teak wood
Openings 4.4.13(F)(5)	Applicant has indicated that the transparency requirements have been met.
Roofs 4.4.13(F)(6)	Flat roof is screened by a two-foot parapet appropriate to the Masonry Modern style. There is a pool deck above the garages of each units, accessible from the 2 nd story of each unit.
Reduction of Urban Heat Islands 4.4.13(F)(9)	The roofed area is required to utilize Energy Star roof-compliant, high-reflectance and high emissivity roofing for a minimum of 75 percent of the roof's surface. Roofing details to ensure compliance with this requirement will need to be submitted at time of building permit.
Green Building Practices 4.4.13(F)(10) and Ordinance No. 30-22	<u>Green building certification is required</u> for developments containing 15,000 square feet or greater. As the proposed building has a gross floor area of 36,514 square feet, the building shall achieve at least the minimum level of certification from a green building certification entity. Documentation explaining how the green building certification will be achieved shall be provided at time of permit.

Delray Beach Central Business Architectural Design Guidelines

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

The proposed building design exhibits characteristics of the Masonry Modern style. Pursuant to the Delray Beach CBD Architectural Design Guidelines, Masonry Modern features include flat roofs, stucco finish, appearance of carved openings, vertically proportioned and recessed windows, and integration of simple geometric shapes to emphasize the solidity of the structure. Additionally, the color palette in Florida for this style is typically comprised of whites and creams. The proposed development applies white smooth stucco with teak wood-finished elements.

**Optional Board Motions**

- A. Move to **approve** the requested Level 3 Site Plan application (2022-151), including site plan, architectural elevations, landscape plan, and landscape waiver; for the property located at **354 SE 5th Avenue**, by finding that the request meets the criteria in the LDR and is consistent with the Comprehensive Plan.
- B. Move to **approve, as amended**, the requested Level 3 Site Plan application (2022-151), including site plan, architectural elevations, landscape plan, and landscape waiver; for the property located at **354 SE 5th Avenue**, by finding that the request meets the criteria in the LDR and is consistent with the Comprehensive Plan.
- C. Move a to **deny** the requested Level 3 Site Plan application (2022-151), including site plan, architectural elevations, landscape plan, and landscape waiver; for the property located at **354 SE 5th Avenue**, by finding that the request does not meet the criteria in the LDR and is not consistent with the Comprehensive Plan.
- D. Move to **continue with direction**.

Courtesy Notices

X Courtesy Notices were sent to:

- Osceola Park
- Mallory Square

Technical Notes

Prior to Site Plan certification, the following is required:

1. Applicant shall submit an application and receive approval of a plat to establish fee-simple lots in accordance with the proposed project.
2. The shrub species along the porch foundation shall be changed to “green island ficus” in accordance with the comments of the Landscape Planner.
3. A Landscape Maintenance Agreement shall be submitted and approved by the City Commission for all landscaping located in the Right of Way.
4. A scrivener’s error on sheet A-1.1 shall be updated to correctly reflect the street direction as “SE” 5th Ave.
5. Correct the density calculation on the data table so it accurately reflects the proposed du/acre.
6. Correct the noted amount of provided Civic Open Space on Sheet A-1.0.
7. Indicate location of at least 1 Alternative Fuel Parking Space within the development; this can be assigned to a single unit.
8. Confirm that the rooftop equipment will be sufficiently screened from adjacent properties, including the neighborhood to the west, by the 2-foot parapet.
9. Ensure that all renderings and plans are accurate and consistent, with revised copies provided as needed.

At time of Building Permit:

1. Roofing details to ensure compliance with the Reduction of Urban Heat Islands provision need to be submitted with permit application.
2. Documentation shall be provided at the time of permit explaining how the green building certification will be achieved.

Prior to Certificate of Occupancy:

1. Approval of the Public Art (sculpture) by the Public Art Advisory Board.