



Cover Memorandum/Staff Report

File #: 24-189

Agenda Date: 2/6/2024

Item #: 6.P.1.

TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: February 6, 2024

REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM JANUARY 1, 2024 THROUGH JANUARY 31, 2024.

Recommended Action:

By motion, receive and file this report for actions on development application requests from January 1, 2024 through January 31, 2024.

Background:

This report is the method of informing the City of Delray Beach ("City") City Commission of actions taken on site plan applications either by a City board or by the Development Services Director via administrative approval, which may be appealed by the City Commission, pursuant to Land Development Regulations (LDR) Section 2.1.3(F), Appealable Reports of Board Actions, and Section 2.4.10(A)(5)(b-c), Site Plan Applications. Administratively approved site plan applications are limited to fully code compliant Level 2 applications.

A staff report, along with associated exhibits and/or plans, provides a thorough description and analysis of each request. Items that appeared on a board's agenda that are not listed below were not acted on by the board (i.e. continued with direction) or received a recommendation to the City Commission for final action.

Historic Preservation Board (HPB)

Meeting Date: January 17, 2024

1. 1109 Seaspray Avenue, Individually Listed to the Local Register of Historic Places (2023-276)

Request: Certificate of Appropriateness for the installation of a new awning to the front of a 2-story single-family residence known as the Price House.

Public Comment: There was no public comment.

Board Comment: The Board was in support of the proposal and had no concerns over the proposed design and material.

Board Action: 7 - 0, Approved.

2. 202 N. Swinton Avenue, Old School Square Historic District (2024-043)

Request: Certificate of Appropriateness (COA) associated with changes to window glass appearance for an existing, commercial contributing structure.

Public Comment: There was one public comment that was in support of the modification. There were

comments towards the positive work. There were concerns about the existing non-conforming setback in the rear, and the volume & location of the existing A/C unit.

Board Comment: The Board had concerns regarding the difference between clear glass and clear low-e glass, with the understanding of the approved plans compared to the windows that were installed on the property, and that the windows were installed prior to permit issuance. There were comments regarding how to proceed with ensuring the appropriate glass is approved and installed.

Board Action: 4 - 3, Approved. (Kristin Finn, Chris Cabezas, and John Miller Dissenting)

3. Downtown Delray Villas - Lot 1 (A.K.A Magnolia Place - 19 SE 2nd Street), Old School Square Historic District (2023-134)

Request: Certificate of Appropriateness, Demolition, Variances & Waiver in association with the construction of a new 2-story duplex structure.

Public Comment: There were a series of public comments in support of the proposal.

Board Comment: The Board had concerns regarding the massing and scale of the proposal. There were comments regarding the scale of the existing streetscape, and the projects ability to work within the confines of the code.

Board Action: 4 - 3, Denied. (Kristen Finn, John Miller, Ivan Heredia, and John Brewer).

NOTE: The applicant has filed an appeal of the denial to the City Commission. The de novo hearing will be scheduled for February 20, 2024.

4. Downtown Delray Villas - Lot 2 (A.K.A Magnolia Place - 148 SE 1st Avenue), Old School Square Historic District (2023-136)

Request: Certificate of Appropriateness, Demolition, Variances & Waiver in association with the construction of a new 2-story duplex structure.

Public Comment: There were a series of public comments in support of the proposal.

Board Comment: The Board had concerns regarding the massing and scale of the proposal. There were comments regarding the scale of the existing streetscape, and the projects ability to work within the confines of the code.

Board Action: 4 - 3, Denied. (Kristen Finn, John Miller, Ivan Heredia, and John Brewer Dissenting)

NOTE: The applicant has filed an appeal of the denial to the City Commission. The de novo hearing will be scheduled for February 20, 2024.

5. Downtown Delray Villas - Lot 3 (A.K.A Magnolia Place - SE 1st Avenue), Old School Square Historic District (2023-133)

Request: Certificate of Appropriateness, Demolition, Variances & Waiver in association with the construction of a new 2-story duplex structure.

Public Comment: There were a series of public comments in support of the proposal.

Board Comment: The Board had concerns regarding the massing and scale of the proposal. There were comments regarding the scale of the existing streetscape, and the projects ability to work within the confines of the code.

Board Action: 4 - 3, Denied. (Kristen Finn, John Miller, Ivan Heredia, and John Brewer)

NOTE: The applicant has filed an appeal of the denial to the City Commission. The de novo hearing will be scheduled for February 20, 2024.

6. Downtown Delray Villas - Lot 4 (A.K.A Magnolia Place - 134 SE 1st Avenue), Old School Square Historic District (2023-132)

Request: Certificate of Appropriateness, Variances & Waiver in association with the construction of a

new 2-story duplex structure.

Public Comment: There were a series of public comments in support of the proposal.

Board Comment: The Board had concerns regarding the massing and scale of the proposal. There were comments regarding the scale of the existing streetscape, and the projects ability to work within the confines of the code.

Board Action: 4 - 3, Denied. (Kristen Finn, John Miller, Ivan Heredia, and John Brewer)

NOTE: The applicant has filed an appeal of the denial to the City Commission. The de novo hearing will be scheduled for February 20, 2024.

7. Downtown Delray Villas - Lot 5 (A.K.A Magnolia Place - 130 SE 1st Avenue), Old School Square Historic District (2023-135)

Request: Certificate of Appropriateness, Demolition, Variances & Waiver in association with the construction of a new 2-story duplex structure.

Public Comment: There were a series of public comments in support of the proposal.

Board Comment: The Board had concerns regarding the massing and scale of the proposal. There were comments regarding the scale of the existing streetscape, and the projects ability to work within the confines of the code.

Board Action: 4 - 3, Denied. (Kristen Finn, John Miller, Ivan Heredia, and John Brewer)

NOTE: The applicant has filed an appeal of the denial to the City Commission. The de novo hearing will be scheduled for February 20, 2024.

Site Plan Review and Appearance Board (SPRAB)

Meeting Date: January 24, 2024

1. North Delray Commons, 455 NE 5th Avenue (2024-063)

Request: Amend Master Sign Program to include two Directory signs on the North and South Elevations.

Board Comment: The Board was in support of the request.

Board Action: 5 - 0, Approved.

2. Atlantic Crossing (Phase II), 777 E Atlantic Avenue (2022-191)

Request: Level III Site Plan Modification for Phase II of Atlantic Crossing including the reduction of the number of units in Building IV-S, reduction of the retail/commercial area in Building IV-S, modifications to the exterior elevations for both Buildings IV-S and II, and reduction in the amount of parking spaces in the SE Parking Garage. (This is item was previously heard at the October 25, 2023, SPRAB meeting.)

Board Comment: The Board was in support of the modifications, and appreciated the revisions to the architectural style for Building IV-S that were made since the October 25, 2023 SPRAB meeting.

Board Action: 5 - 0; Approved.

Historic Preservation Board (HPB)

Meeting Date: January 31, 2024

1. Sundry Village - Blocks 61, 69, & 70, Old School Square Historic District (2022-253)

Request: Level 3 Site Plan, Certificate of Appropriateness, Landscape Plan, Architectural Elevations, Variance, and Waivers (2022-253) for change of use and exterior modifications to structures.

Public Comment: There was one public comment.

Board Comment: The Board was in support of the proposal.

Board Action: 6 - 0; Approved.