



# DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

## PLANNING AND ZONING BOARD STAFF REPORT

### The Edge at Pineapple Grove

Meeting	File No.	Application Type
September 17, 2024	2022-008-SPF-SPR-CLV	Level 4 Site Plan
Applicant	Property Owner	Authorized Agent
Downtown Second Street, LLC	215 NE 6 <sup>th</sup> Ave, LLC	Dunay, Miskel & Backman, LLP

#### Request

Provide a recommendation to the City Commission on a Level 4 Site Plan (including a Landscape Plan, Architectural Elevations, and Waiver) to construct a seven-unit townhouse development.

#### Site Data & Information

**Property Owner:** 215 NE 6<sup>th</sup> Ave, LLC

**Agent:** Dunay, Miskel & Backman, LLP

**Location:** 605 NE 2<sup>nd</sup> Street

**PCN:** 12-43-46-16-01-114-0090

**Property Size:** 0.36 Acres

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

**Zoning District:** CBD, Central Core Sub-district

#### Adjacent Zoning:

- **North:** CBD, Central Core Sub-district
- **East:** RM (Multiple Family Residential)
- **South:** CBD, Central Core Sub-district
- **West:** CBD, Central Core Sub-district

**Existing Use:** Residential and Commercial

**Proposed Use:** Residential

#### Floor Area Ratio:

- **Existing:** 0.22
- **Proposed:** 1.67
- **Maximum Allowed:** 3.0

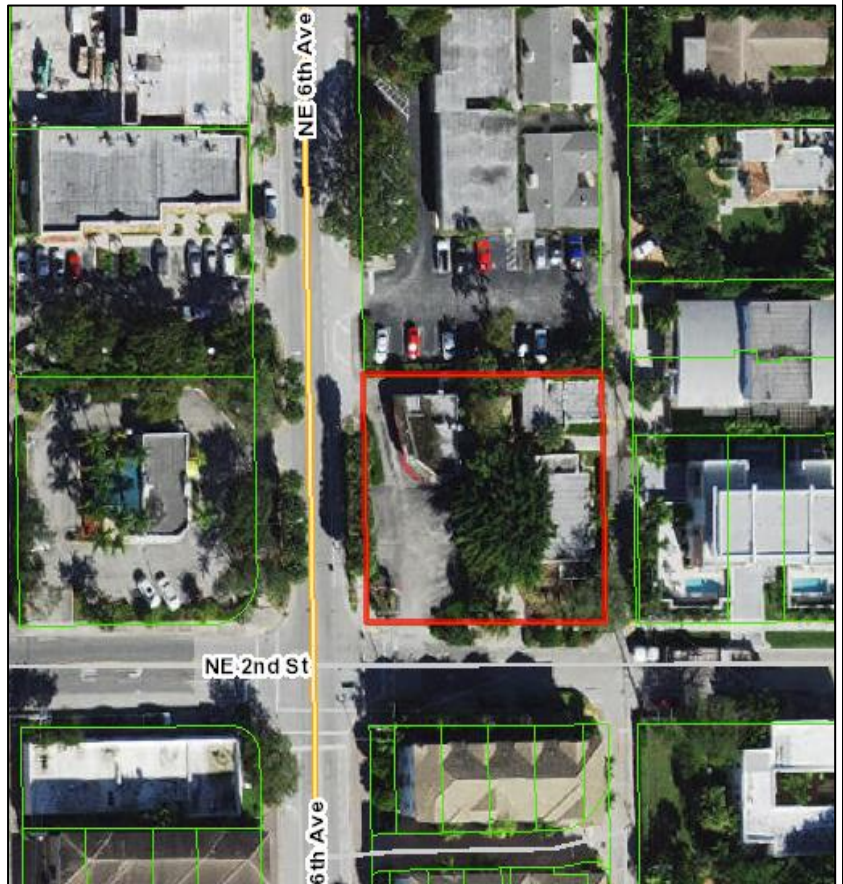
#### Density:

- **Proposed:** 19 du/ac (7 units)
- **Maximum Allowed:** 30 du/ac (10 units)

#### CBD Central Core Sub-district

- **NE 6<sup>th</sup> Avenue & NE 2<sup>nd</sup> Street:**  
Primary Street

**For Reference:** [LDR Section 4.4.13, CBD](#)





## Background

The subject property is located on the northeast corner of NE 6<sup>th</sup> Avenue and NE 2<sup>nd</sup> Street. Currently it is occupied by three buildings: a former restaurant built in 1948, as well as two residential buildings constructed in 1925. The parcel corners two Primary Streets (NE 6<sup>th</sup> Avenue on the western side and NE 2<sup>nd</sup> Street on the southern side), and it adjoins the alley between NE 6<sup>th</sup> Avenue and NE 7<sup>th</sup> Avenue on the property's eastern side. The property is located within the Central Core Sub-district, where the "...regulations are intended to result in development that preserves the downtown's historic moderate scale, while promoting a balanced mix of uses that will help the area evolve into a traditional, self-sufficient downtown."



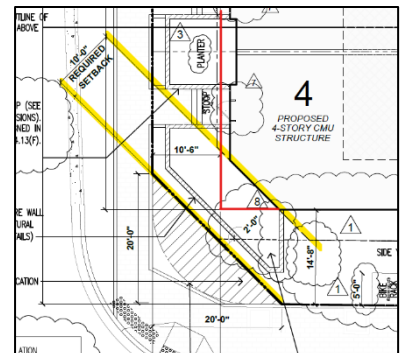
Former Restaurant on the corner of NE 6th Ave and NE 2nd Street



Residential building on the corner of NE 2nd Street and the alley

A Level 4, formerly a Class V, site plan application has been submitted to demolish the existing buildings and construct a seven-unit townhouse development. As part of the development application, the applicant requested the following waivers from the development regulations in the CBD, that must be reviewed prior to site plan consideration:

- LDR Section 4.4.13(I)(3)(b)1., Location and Access to Off-street Parking: Access. to allow vehicular access from a Primary Street (NE 2<sup>nd</sup> Street), whereas the alley should be the primary source of vehicular access to off-street parking. Figure 4.4.13-B-1, Central Core and Beach Sub-district Regulating Plan, identifies those rights-of-way that are classified as Primary (black) and Secondary Streets.
- LDR Section 4.4.13(D)(2)(a)1., to reduce the front setback from a minimum of 10 feet (yellow highlight) to three feet and six inches (red line) at the northwest corner of NW 6<sup>th</sup> Avenue and NE 2<sup>nd</sup> Street.



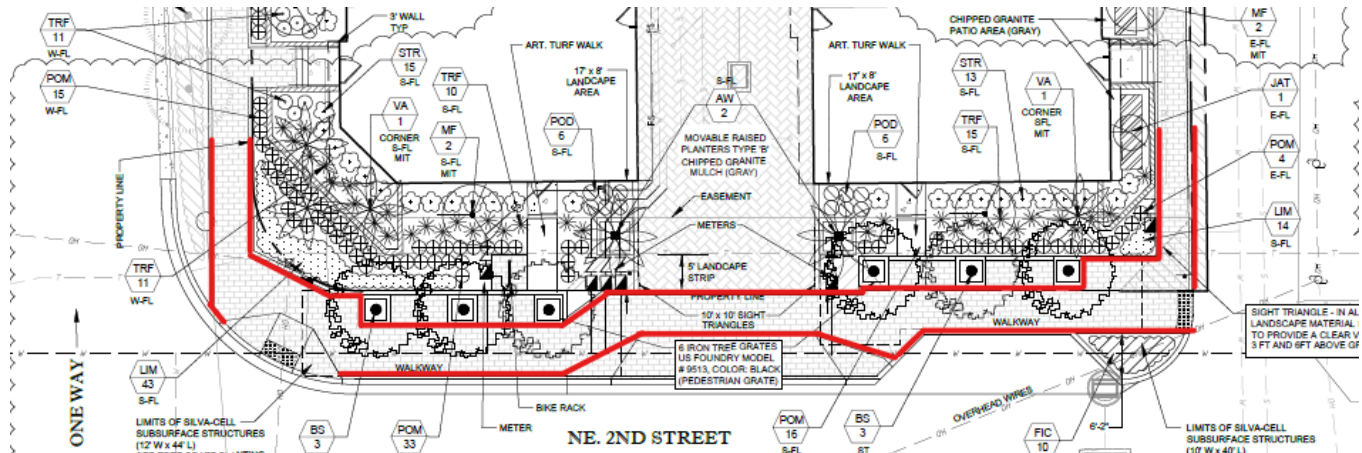
The review history of the waiver requests is provided on the following page.





#### April 12, 2023, Site Plan Review and Appearance Board (SPRAB).

SPRAB reviewed the requested waivers. The applicant requested deferral of the item to meet with residents in the adjacent neighborhoods who raised concerns at the meeting; SPRAB approved a motion to continue with direction to come back before the Board with re-evaluation and discussion. The applicant met with the residents in an effort to address their concerns, and as a result the project was revised to remove the privacy wall along NE 2<sup>nd</sup> Street (a Primary Street), which improves the overall pedestrian experience (outlined in red).

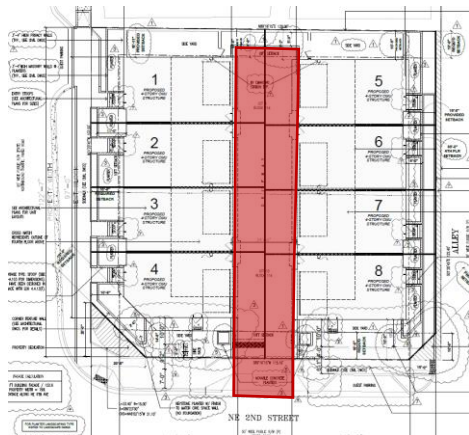


#### November 29, 2023, SPRAB.

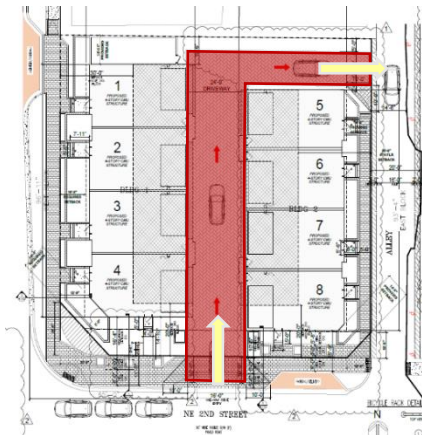
SPRAB reviewed the modification that the applicant proposed since the previous Board review in April (elimination of the privacy wall) and recommended denial, 4-1. On January 4, 2024, City Commission made a motion to continue with the direction to revise the primary access of the project and proceed to the Planning and Zoning Board (PZB) for further review of the requested waiver. The second waiver request for LDR Section 4.4.13(D)(2)(a)1., to reduce the front setback from a minimum of 10 feet to three feet six inches at the northwest corner of NW 6<sup>th</sup> Avenue and NE 2<sup>nd</sup> Street, was approved (Resolution 11-24).

#### April 15, 2024, PZB.

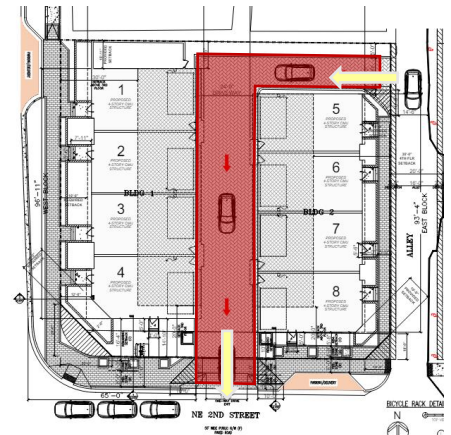
The applicant revised the vehicular access by providing sole ingress from NE 2<sup>nd</sup> Street and egress onto the alley. PZB reviewed the waiver request for vehicular access from a Primary Street and recommended approval, 5-2, with the condition that the ingress is from the alley and the egress is onto NE 2<sup>nd</sup> Street.



Previous Proposal: sole egress and ingress from NE 2<sup>nd</sup> Street



PZB Proposal: sole ingress from NE 2<sup>nd</sup> Street and sole egress from alley



New Proposal: sole ingress from alley and sole egress from NE 2<sup>nd</sup> Street

#### May 7, 2024, City Commission.

Voting 4-1, Commission denied the waiver request for LDR Section 4.4.13(I)(3)(b)1., to allow vehicular access from a Primary Street (NE 2<sup>nd</sup> Street), rather than the alley, which should be the primary source of vehicular access to off-street parking. The applicant has revised the configuration of the site plan to propose no vehicular access from NE 2<sup>nd</sup> Street (excluding the gate entrance for emergency vehicles) and sole ingress and egress is from the alley. The revised configuration required the removal of one unit, for a total of seven units.



## Description of Proposal

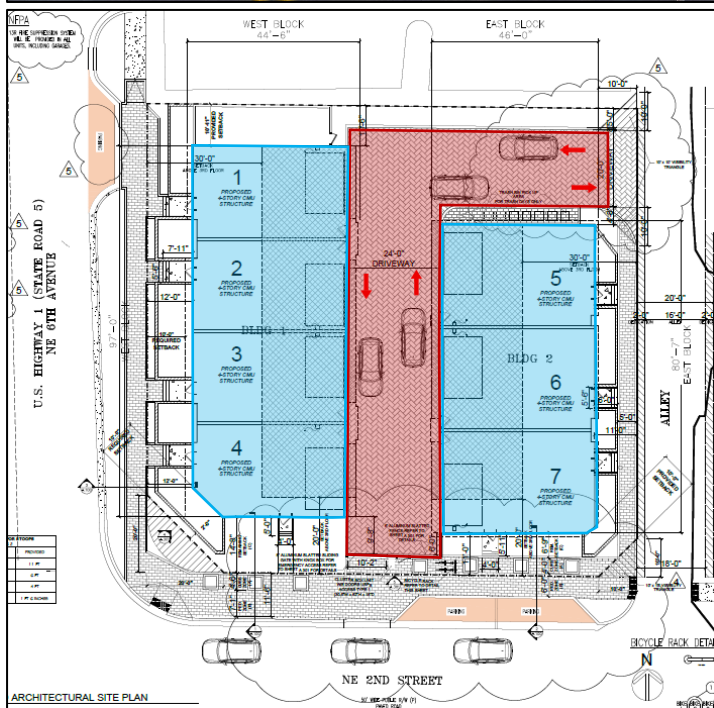
The development proposal includes seven four-story townhouse units with stoop entrances along NE 6<sup>th</sup> Avenue and the alley, recently named Hoffman Lane. Four units face along NE 6<sup>th</sup> Avenue and three along Hoffman Lane, with the individual garages facing an interior drive aisle accessible from Hoffman Lane. Each unit consists of three-bedrooms with an open terrace space on the rooftop.

Required parking for each unit is provided within a private garage, and three parallel guest parking spaces, one along NE 6<sup>th</sup> Avenue and two on NE 2<sup>nd</sup> Street. Trash will be located within each garage and placed in the designated location on the north side of Unit 5 for trash pick-up by Waste Management.

The request includes a landscape waiver request to **LDR Section 4.6.16(H)(3)(i)** for relief to the required shade tree to be planted in the landscape island on the southeast corner adjacent to the parallel parking spaces along NE 2<sup>nd</sup> Street.

Hoffman Lane exists as a 16-foot alley with a 2-foot dedication from the property to the east. The proposal includes a 2-foot dedication along Hoffman Lane, a 10 by 10-foot corner clip on the intersection on NE 2<sup>nd</sup> Street and Hoffman Lane, and a 20 by 20-foot corner clip on the intersection on NE 2<sup>nd</sup> Street and NE 6<sup>th</sup> Avenue.

**NOTE:** Any signage included in the renderings or architectural elevations has not been reviewed for compliance with the LDR and is not included as part of the subject review and approval. A separate review process is required for signage.



## Review and Analysis: Site Plan

The proposed site plan generally meets all applicable requirements of the Land Development Regulations, other than the specifically identified waivers. The site is configured in a manner that orients the buildings towards NE 6<sup>th</sup> Avenue and Hoffman Lane with frontages along the streets and vehicular access on the interior drive aisle accessible from Hoffman Lane. Furthermore, majority of the parking is located towards the interior of site which helps alleviate the negative visual impact that results from an abundance of visible off-street parking placed between the buildings and public realm; three of the required parking spaces are provided along NE 2<sup>nd</sup> Street and NE 6<sup>th</sup> Avenue and may be used as guest parking for the residences. The site configuration proposes a well-landscaped streetscape along the Primary Streets, NE 6<sup>th</sup> Avenue and NE 2<sup>nd</sup> Street, and a sidewalk along Hoffman Lane, an alley, that leads to three of the unit's stoops.

### LDR Section 2.4.10(A)(3), Findings.

*All site plan applications require compliance with the applicable regulations and review criteria and shall be consistent with the Comprehensive Plan and other local ordinances.*

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





### **LDR Section 3.1.1, Required Findings.**

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

These findings relate to the following four areas:

**(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, pursuant to Table NDC-1 of the Always Delray Comprehensive Plan, is a preferred zoning district to implement the CC land use designation. Pursuant to LDR Table 4.4.13(A), multiple-family residential are permitted uses within CBD Central Core Sub-district. Therefore, the resulting use of land is compatible with the underlying land use. Further, the applicant is proposing a density of 19 dwelling units per acre (seven units), where the CBD Central Core Sub-district allows a maximum density of 30 du/ac.

**(B) 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, Level of Service Standards, of the Capital Improvements Element of the adopted Comprehensive Plan of the City of Delray Beach.*

Water and Sewer. The residential development will connect to the existing sewer main on Hoffman Lane and provide a privately owned and maintained sewer system along the private drive aisle. All individual unit water services to be located on the northeast and southwest corner of the property with two-inch service lines that split to both a two-inch fire service line and a one-inch domestic service line for each unit.

Drainage. Drainage will be accommodated on site, along Hoffman Lane and the intersection of NE 2<sup>nd</sup> Street and Hoffman Lane. All stormwater runoffs will be collected and contained within the subject property through a utility drainage system as approved by the discretion of the City Engineer and Utility Plans Reviewer.

Transportation. The submitted Traffic Statement indicates the proposed seven-unit residential development will result in an anticipated 32 daily. The applicant has provided a TPS letter indicating the project meets the Palm Beach County requirements for traffic performance standards.

Solid Waste. The proposed development is estimated to generate 3.64 tons of solid waste compared to the existing 16.24 tons generated with the restaurant and two dwelling units. The Solid Waste Authority has indicated that its facilities have sufficient capacity to accommodate all development proposals until 2054. The applicant has provided correspondence from Waste Management that advises roll out containers picked up from the designated location north of Unit 5 is a feasible method of waste disposal for this project.

Schools. The applicant has provided a SCAD letter issued by The School District of Palm Beach County finding that the proposed development will have no negative impact on the existing school system. Any fees due will be at the discretion of the School Board.

**(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.*

The applicable subsections of Article 3.2, Performance Standards, are LDR Section 3.2.1, which requires a determination of consistency with the Comprehensive Plan, and LDR Section 3.2.3, which provides standards for site plan actions. The Standards strive to ensure new development will not have a negative impact on the surrounding area, provide any requisite amenities to enhance the quality of life for its residents when residential units are provided, provide appropriate mobility connections and open space and recreational improvements, and comply with the maximum intensity and density allowed for the land use designation and zoning district. The proposed development generally meets the applicable standards as there are no significant concerns related to the overall consistency with Article 3.2.



The standards also require that developments provide a variety of housing types that accommodate Delray Beach's growing and socio-economically diverse population. Pursuant to LDR Section 4.4.13(D)(1)(d), *a number of different unit types, sizes and floor plans shall be available within the development. Two and three bedroom units are encouraged, as are a combination of multi-level units and flats. In projects consisting of more than 12 dwelling units, the proportion of efficiency or studio type units may not exceed 25 percent of the total units. One bedroom units may not exceed 30 percent; however, if no efficiency or studio units are constructed, the cumulative amount of one bedroom units may not exceed 55 percent. There is no maximum percentage for unit types established for projects having 12 or fewer units, however, a mix of unit types and sizes is encouraged.* The proposal consists of seven three-bedroom units. While it is not required to provide a mix of unit types and sizes for projects with 12 units or fewer, the Board should consider whether the proposed project meets the intent of the Housing Element of the Comprehensive Plan and whether there is opportunity to ensure a greater diversity of unit types at varying income levels, even though there is currently the absence of revitalization incentives available for this location.

### **Comprehensive Plan**

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

### **Neighborhoods, Districts, and Corridors Element**

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

Policy NDC 1.3.6: *Allow a maximum floor area ratio of 3.0 and a maximum density of 12 dwelling units per acre east of the Intracoastal Waterway, and a standard density of 12-30 dwelling units per acre with a revitalization/incentive density of 30-100 dwelling units per acre for the Commercial Core land use designation; specific standards in the Land Development Regulations adjust density and intensity based on compatibility, scale, character, adopted Redevelopment or Neighborhood Master Plans, or workforce housing incentives.*

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.*

Policy NDC 2.2.7: *Within the Commercial Core, locate and design off-street parking areas in a manner that does not detract from the character by providing standards in the Land Development Regulations, such as locating parking to the side or rear of buildings, limiting size of lots, and landscaping and façade requirements. Large fields of parking between building facades and streets are generally not desirable.*

### **Housing Element**

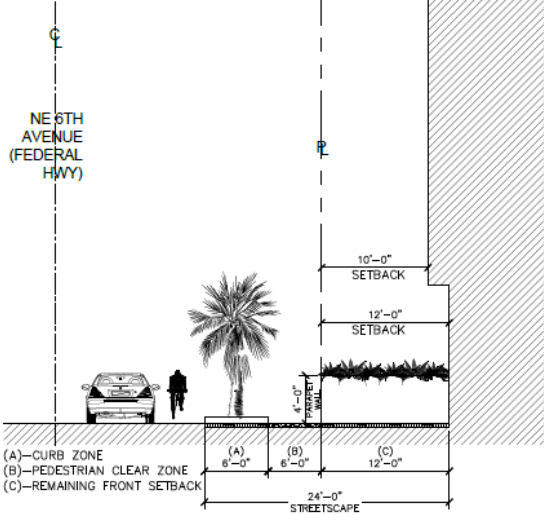
Policy HOU 3.2.1: *Allow a variety of housing types to reflect the needs of all household types, including both rental and ownership opportunities for single people, couples, families, seniors, persons with disabilities and multi-generational families.*

Policy HOU 5.1.1: *Encourage construction of mixed-income housing developments to avoid a concentration of affordable units in one development or neighborhood and to provide a full range of residential unit types and prices.*

Overall, the proposed development is consistent with the applicable Goals, Objectives, and Policies of the Always Delray Comprehensive Plan, particularly those of the Neighborhood, Districts, and Corridors and Housing Element. The site fronts two Primary Streets, NE 6<sup>th</sup> Avenue and NE 2<sup>nd</sup> Street, and pursuant to LDR Section 4.4.13(B)(1), the Primary Streets are *intended to develop over time as superior pedestrian environments and, as such, are held to higher standards in the regulations regarding building placement, building frontage, and the location of parking and service uses.* Although NE 2<sup>nd</sup> Street terminates as a Primary Street at the alley along the east side of the property, as the adjacent zoning, Medium Density Residential (RM), does not classify streets as Primary and Secondary, the proposal intends to enhance the pedestrian environment by meeting the requirements associated with Primary Streets. The proposal includes stoop frontages with an active streetscape that is anticipated to encourage pedestrian activity along the two primary streets and the alley. The residential component expands the housing supply, although not the mixed unit type and sizes as suggested in the Comprehensive Plan, to accommodate Delray Beach's socio-economically diverse population.

**(D) Compliance with the LDRs** *Whenever an item is identified elsewhere in the LDR, 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.*



Standard/Regulation: Central Core Sub-district	Review	
<b>Building Height</b> Table 4.4.13(B)	<b>Maximum:</b> 4 stories and 54 feet <b>Proposed:</b> 4 stories and 52 feet (measured to finished roof) 56 feet, height including parapet	
<b>Ground Story Height, Residential Buildings:</b> 4.4.13(D)(1)(a)5.	<b>Required:</b> 10 feet min., floor to ceiling <b>Proposed:</b> 11 feet, 6 inches, floor to ceiling	
<b>Stories above Ground Story:</b> 4.4.13(D)(1)(a)7.	<b>Required:</b> 9 feet min., floor to ceiling <b>Proposed:</b> 9 feet to 10 feet, 6 inches, floor to ceiling	
<b>Elevator Overruns and Stairways:</b> 4.4.13(D)(1)(a)12.	<b>Required:</b> 10 feet max. above overall building height, not more than 60 feet <b>Proposed:</b> 52 feet	
<b>Setback</b> Table 4.4.13(C)	<b>Required:</b> <b>Front:</b> 10 feet min/15 feet max <b>Front above 3<sup>rd</sup> story:</b> 20 feet <b>Side*:</b> 0 or 5 feet <b>Rear:</b> 10 feet <b>Rear above 3<sup>rd</sup> story**:</b> 30 feet *Side lot lines adjoining alleys are regulated by rear setbacks **Rear adjacent residential zoning district	<b>Proposed:</b> <b>Front:</b> 10 feet <b>Front above 3<sup>rd</sup> story:</b> 20 feet <b>Side:</b> 10 feet <b>Rear:</b> 10 feet <b>Rear above 3<sup>rd</sup> story:</b> 30 feet
<b>Density</b> Table 4.4.13(C)	<b>Maximum:</b> 30 du/ac (10 units)	<b>Proposed:</b> 19 du/ac (7 units)
<b>Streetscape Standards</b> 4.4.13(E)(2)	The project complies with the minimum requirements of the CBD streetscape standards.	
<b>Minimum Streetscape Width</b>	<b>Required:</b> 15 feet <b>Curb Zone:</b> 4 feet (min.) <b>Ped. Clear Zone:</b> 6 feet (min.) <b>Front Setback Area:</b> 5 feet (min)	<b>NE 6<sup>th</sup> Avenue</b> <b>Provided:</b> 22 feet and 7 inches to 24 feet (total) <b>Curb Zone:</b> 4 feet and 7 inches to 6 feet <b>Ped. Clear Zone:</b> 6 feet <b>Front Setback Area:</b> 12 feet  <p>(A)—CURB ZONE (B)—PEDESTRIAN CLEAR ZONE (C)—REMAINING FRONT SETBACK</p>



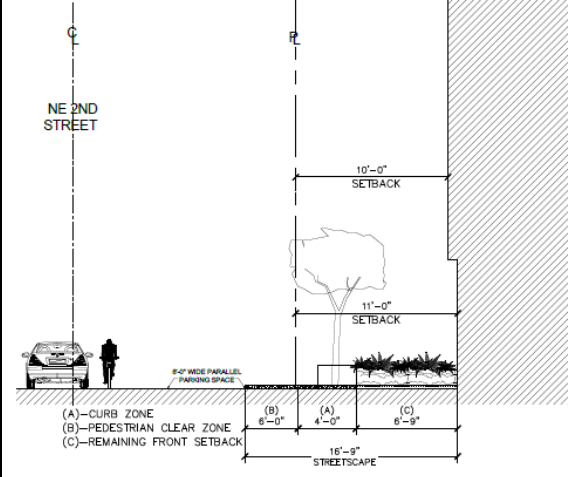
**NE 2<sup>nd</sup> Street (West Block)**

**Provided:** 16 feet, 9 inches (total)

**Curb Zone:** 4 feet

**Ped. Clear Zone:** 6 feet

**Front Setback Area:** 6 feet, 9 inches



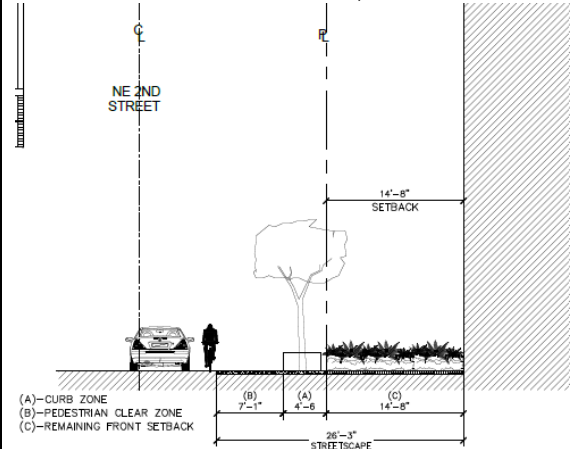
**NE 2<sup>nd</sup> Street (East Block)**

**Provided:** 26 feet, 3 inches (total)

**Curb Zone:** 4 feet, 6 inches

**Ped. Clear Zone:** 7 feet, 1 inch

**Front Setback Area:** 14 feet, 8 inches



**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 the stoop steps to the units, an allowable encroachment that does not impact the required curb and pedestrian clear zone. Planters are also proposed between the units.

**Frontage Type**  
4.4.13(E)(4)

**Required:** A stoop is a small staircase leading to the entrance of a building that may be covered. The elevation of the stoop is necessary to ensure privacy for residential uses in the ground story of buildings. Stoops should provide sufficient space for a person to comfortably pause before entering or after exiting the building.

**Proposed:** The proposed stoops meet all frontage regulations on all three facades facing streets; the stoop set back approximately five to ten feet from the property line on both the primary streets and the alley. The stoop elevates the finish floor of the units 18 inches above the sidewalk.





<b>Architectural Elevations</b> 4.4.13(F)	A review of the CBD architectural requirements is provided under the <b>Architectural Elevations</b> section of the report.
<b>Civic Open Space</b> LDR Section 4.4.13(G)	Not required, based on size of parcel.

#### Other Requirements

Standard/Regulation	Review
<b>Lighting (Photometric Plan)</b> 4.6.8(A)(3), Illumination Standards: Table 2	The proposed lighting complies with the minimum and maximum illumination requirements for off-street parking illumination, lighting at the building entrance, and lighting at the property line adjacent a parcel or public right-of-way. Seven decorative streetlights will be placed along NE 6 <sup>th</sup> Avenue and NE 2 <sup>nd</sup> Street in a style consistent with the standard Delray Beach fixture.
<b>Off-Street Parking</b> 4.4.13	<b>Required:</b> 3-Bed Units: 1.75 parking space/2BR or more unit = 12 parking spaces Guest: 0.50 parking space/unit = 4 parking spaces Total: 16 parking spaces  <b>Proposed:</b> 17 parking spaces; 7 alternative fuel spaces, 3 on-street parking
<b>Bicycle Parking</b> Table 4.6.9(C)-1	<b>Required:</b> 1 space/10 units = 1 Type I bicycle parking space  <b>Proposed:</b> 2 Type I bicycle parking spaces are provided south of Unit 7 within the curb zone proposed on private property.

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

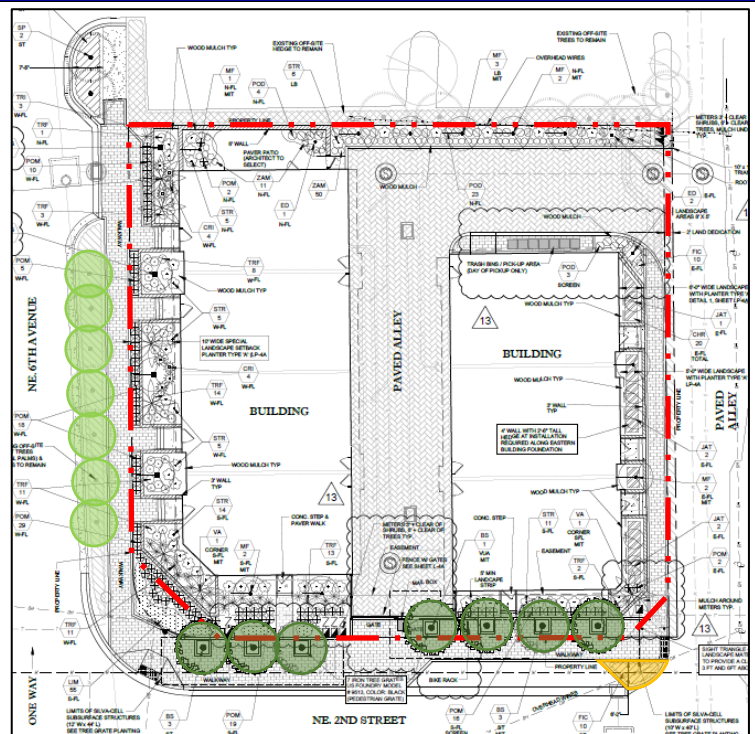
#### Review and Analysis: Landscape Plan

##### LDR Section 2.4.10(A)(3)(c), Findings

*Landscape Plans, including modifications to existing landscaping, shall be consistent with Section 4.6.16, Landscape Regulations.*

A technical review of this site plan has been performed and a determination has been made that the project substantially complies with all applicable landscape regulations. The proposal includes the removal of seven trees (two trees are invasive) and seven palms; the removed trees meet the mitigation standards pursuant to LDR Section 4.6.19, either with a tree for tree basis or the total diameter at breast height (DBH) inches for shade trees, and total height and in-lieu fee for palm trees.

Pursuant to LDR Section 4.4.13(E)(2)(b)6., for those properties where street trees exist at the time of site plan approval, the property owner shall either provide the required street trees in another location on-site or pay into the Tree Trust Fund, in accordance with the fee schedule in Section 4.6.19(E)(5)(d). Due to the seven established sabel palms adjacent to NE 6<sup>th</sup> Avenue, the applicant has opted to pat the in-lieu fee for the





Tree Trust Fund. The fee is \$75 per foot; each palm tree height is 18 feet and total in-lieu fee will be \$9,450. The sabel palms (light green) will be used to meet the required street trees adjacent to NE 6<sup>th</sup> Avenue. The remaining street trees for NE 2<sup>nd</sup> Street consist of seven gumbo limbos (dark green). Four of the street trees for NE 2<sup>nd</sup> Street are located on the private property due to the swap of the curb zone and pedestrian clear zone. All the street trees, including the seven sabel palms adjacent to NE 6<sup>th</sup> Avenue and the four gumbo limbos on private property, will be included in the required landscape maintenance agreement.

The project also includes waiver request from the requirements in **LDR Section 4.6.16(H)(3)(i)**, for relief to the required shade tree to be planted in the landscape island on the southeast corner adjacent to the parallel parking spaces along NE 2<sup>nd</sup> Street, shown in yellow.

#### Waiver Analysis

Waiver request is subject to the following findings.

#### **LDR Section 2.4.11(B)(5), Waiver: Findings**

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

**LDR Section 4.6.16(H)(3)(i), Landscape islands which contain a minimum of 135 square feet of planting area, with a minimum dimension of nine feet, exclusive of the required curb, shall be placed at intervals of no less than one landscaped island for every 13 standard parking spaces. One shade tree shall be planted in every island with a minimum of 75 square feet of shrubs and groundcovers. Tree specifications shall adhere to those listed in Section 4.6.16(E)(5) and 4.6.16(E)(6).**

The proposal includes three on-street parallel parking spaces, two spaces on NE 2<sup>nd</sup> Street and one space on NE 6<sup>th</sup> Avenue. The parking spaces shall be terminated by a landscape island minimum of nine feet and 135 square feet. The applicant is requesting for relief to the required shade tree as the required tree would conflict with the existing underground utilities. As the landscape is limited due to the existing watermain, the proposed landscape island will be planted with green island ficus. The request is not anticipated to negatively affect the neighboring area or create unsafe conditions. The Board should consider if the request results in an inferior pedestrian experience along NE 2<sup>nd</sup> Street.

#### Review and Analysis: Architectural Elevations

#### **LDR Section 2.4.10(A)(3)(d), Findings**

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

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

##### **(A) Minimum Requirements**

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



In consideration of the above, the overall design shows proper design concepts; further review of the Masonry Modern style is provided within the CBD review. The adjacent development to the south and east are constructed to three stories; the majority of the neighboring structures are existing at one to two stories. The proposed four-story development would inherently contrast to the existing lower scale surrounding; however, with continued redevelopment occurring throughout the city, property owners are taking advantage of the maximum development potential allowed for a zoning district, particularly within the CBD.

#### **(B) Building and structure requirements.**

The minimum aesthetic standards of this Section have generally been met by the proposed architectural design. Pursuant to the Delray Beach CBD Architectural Design Guidelines, wood details are often used to soften the stark modern forms of the building mass and exterior finishes are typically stucco. Further, elements such as shading louvers, deep roof overhangs, vertically proportioned windows, and recessed exterior spaces also define the Masonry Modern architectural style.

The project utilizes treatment, materials, and setbacks that differentiate the base from the middle and the top. The base is emphasized with a deep recess with the stoop entrances, the middle is accentuated with large solid masses that cantilever over the base and is highlighted with a wood-like element around the vertically proportioned windows. The top is setback and incorporates an open-air terrace with a parapet above the fourth floor to screen the rooftop terraces and mechanical equipment at the rear of the roof.

#### **(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 project is not anticipated to materially depreciate the appearance and value of the surrounding neighborhood and is considered harmonious with the adjacent developments.



*Adjacent property to the east*



*Adjacent property to the south*



*Adjacent property to the southwest corner*



*Adjacent property to the north*





**LDR Section 4.4.13(F), Architectural Standards**, to ensure high quality architecture in the downtown area, the following architectural standards apply to all buildings in the Central Business District Sub-districts and in the OSSHAD with CBD Overlay. In addition to the standards in Section 4.6.18, the following standards apply in all CBD Sub-districts.

Standard/Regulation	Review
<b>Facade Composition Tripartite Composition: Base Middle, Top</b> 4.4.13(F)(2)	The development meets the intent of the building composition requirements. For example, there is strategic use of treatment, materials, and setbacks that differentiate the base from the middle and the top.
<b>Appropriate Architectural Styles</b> 4.4.13(F)(3)	<b>Style:</b> Masonry Modern with Stoop Frontage Type <b>Style Details Utilized:</b> The Masonry Modern style of architecture is defined by its rational load bearing construction technique, its system of punched openings and its limited ornament. Stucco is the prevalent building finish in the Masonry Modern style. Stone and wood details are used to soften the stark modern forms of the building mass.  <b>Proposed:</b> The proposed development is considered Masonry Modern. The building design uses simple geometries and the concept of a solid mass with carved spaces. The structure finish is comprised of stucco and has wood-like accents to highlight and emphasizes the deep recess of the stoop on the ground floor.
<b>Walls</b> 4.4.13(F)(4)	<b>Required:</b> Maximum two primary material's appropriate to architectural style <b>Provided:</b> Smooth stucco and a gray porcelain tile veneer with wood-like tile as an accent element
<b>Openings</b> 4.4.13(F)(5)	Transparency requirement has been met. Primary entrances are easily identified.
<b>Roofs</b> 4.4.13(F)(6)	Flat roof and rooftop equipment are screened by a four-foot parapet and is consistent with the overall architectural language
<b>Parking Garages</b> 4.4.13(F)(8)	There are no parking garages proposed with the subject development.
<b>Reduction of Urban Heat Islands</b> 4.4.13(F)(9)	The project will use energy star roof-compliant, high reflective and high emissivity roofing .
<b>Green Building Practices</b> 4.4.13(F)(10)	The regulations, at the time of application, required green building certification for developments containing more than 50,000 square feet. Since the application has been under review, Ordinance No. 30-22 has been adopted and requires that all new construction of 15,000 square feet or more (air-conditioned space) that submit for a building permit on or after November 1, 2023, must obtain a minimum level of certification from a green building certification entity. <u>The subject building contains approximately 23,459 square feet under air, thereby requiring a green building certification if the building permit is submitted on or after November 1, 2023.</u>

**LDR Section 4.4.13(F)(3) Appropriate Architectural Styles**, the adopted "Delray Beach Central Business District Architectural Design Guidelines", as amended, identifies architectural styles as appropriate for downtown Delray Beach, based on historical precedent, climate, and building scale. Defining characteristics and character examples are provided for each of the styles as guidance.

The proposed style is Masonry Modern. The initial application was submitted October 7, 2021, prior to Ordinance No. 12-23, which states that the use of Masonry Modern or Art Deco architectural styles requires City Commission approval, via recommendation by SPRAB or HBP, as applicable, prior to consideration of the site plan. Therefore, the proposed use of the Masonry Modern architectural style did not require previous approval prior to the review of the site plan.



### Delray Beach Central Business District 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. In Florida, Masonry Modern architecture refers to a global building style adapted to the environmental context of South Florida. It is an architectural language noteworthy for its rationally expressed structural system and its minimal use of building ornamentation. Pure geometric forms are emphasized in the overall volumetric layout.*

The proposed building design exhibits many characteristics of the Masonry Modern style. The exterior finish is predominately smooth stucco and accented by wood-like finishes adjacent to a few of the openings on the second and third floor and on the garage doors. The articulation of the massing communicates a hierarchy of the design, and the material shifts provide design interest across the façade. The percentage of glazing provides adequate transparency, while the stoop frontage on the ground floor and rooftop terrace recesses highlights the carved spaces from the overall solid structure. The building has a defined base, middle, and top that is achieved through the appropriate use of material variations, carved out spaces, color, and setbacks.



West Elevation, Stoops adjacent to NE 6<sup>th</sup> Street (West Block)



South Elevation; Stoops adjacent to NE 2<sup>nd</sup> Avenue (West and East Block)



East Elevation; Garage entrance via internal drive aisle (West Block)

#### Review by Others

The **Downtown Development Authority (DDA)** reviewed the full Level 4 Site Plan request (classified as a Class V at the time of review), at its meeting of September 12, 2022. A recommendation to approve the proposed changes was carried 5 to 0, with the suggestion that the “architectural features of the building should be reviewed to allow for a lighter look: use of more greenery features and opt for a more tropical modern style.” The DDA Board was in support of the waiver requests. The DDA Memo is attached and provides additional information.

The **City Commission** will review the Site Plan at an upcoming meeting.

#### Options for Board Action

- Move to recommend **approval** to the City Commission of the Level 4 Site Plan (including a Landscape Plan, Architectural Elevations, and Waiver) known as **The Edge at Pineapple Grove** located at **605 NE 2<sup>nd</sup> Street** (2022-008) to construct a seven-unit townhouse development, by finding that the request meets the criteria set forth in the Land Development Regulations.
- Move to recommend **denial** to the City Commission of the Level 4 Site Plan (including a Landscape Plan, Architectural Elevations, and Waiver) known as **The Edge at Pineapple Grove** located at **605 NE 2<sup>nd</sup> Street** (2022-008) to construct a seven-unit townhouse development; by finding that the request does not meet the criteria set forth in the Land Development Regulations.
- Move to **continue** with direction.

#### Public and Courtesy Notices

☒ Courtesy Notices were provided to the following, at least 5 working days prior to the meeting:

- Palm Trail Neighborhood Association, Email provided on September 6, 2024

☒ Public Notices are not required for this request.

#### Technical Notes

Compliance is required prior to Site Plan Certification:

- The property owner is required to enter into a maintenance agreement, in a form acceptable to the City Attorney, requiring the property owner to be responsible for and maintain any tree grates, irrigation, and landscaping installed by the property owner to meet the requirements of LDR Section 4.4.13.





2. A plat to divide the lots into fee simple lots must be recorded. The plat cannot be recorded until all existing buildings have been removed from the property.

Compliance is required prior to the issuance of a building permit:

1. Ordinance No. 30-22 requires that new construction or addition(s) consisting of 15,000 sf of Gross Floor Area that is air-conditioned space, up to 50,000 sf in one or more buildings on a single parcel or as a part of a unified development shall achieve at least the minimum level of certification from a green building certification entity. This is applicable if the building permit is submitted on or after November 1, 2023, this requirement will apply to the project.