

HISTORIC PRESERVATION BOARD

---STAFF REPORT---

CITY OF DELRAY BEACH

MEETING DATE:

June 26, 2017

ITEM:

Swinton Commons (2016-073): A Class V site plan application for Swinton Commons that includes 35,049 square feet of retail; 22,525 square feet of restaurant; 21,872 square feet of office; 44 dwelling units; 39 residential-type inn units; and 109 hotel rooms. The project also includes the relocation of seven of the existing contributing buildings, reconstruction of one existing building, and demolition of nine buildings. The relocation of six of the contributing buildings will occur on Block 61 along Swinton Avenue. Another contributing building will be relocated from Block 61 to the Sundy House property.

RECOMMENDATION:

Recommend approval to the Planning and Zoning Board subject to conditions of approval.

GENERAL DATA:

Applicant..... MGM Sundy House LLC

Agent..... Bonnie Miskel, Esq. – Dunay, Miskel and Backman LLP

Location..... Block 61, portions of Block 69, 70 and Sundy Block

Property Size..... 6.44

Future Land Use Map. Other Mixed Use (OMU)

Current Zoning..... OSSHAD
(Old School Square Historic Arts District)

Adjacent Zoning
North: OSSHAD & OSSHAD w/CBD (Central Business District) Overlay
East: OSSHAD & CBD
South: CF (Community Facilities) & OSSHAD
West: RM (Medium Density Residential), & CF

Existing Land Use..... Block 61 - vacant land, storage, retail, office, and financial service. Several contributing building such as the Rectory Park building and the Cathcart house.

Sundy Block - Sundy House-Restaurant with Residential-Type Inn and associated office space.

Block 69 – residential

Block 70 - Parking lot & Vacant Single-Family Residences.

Proposed Land Use.... Mixed use development consisting of Residential-type Inn, residential, hotel, retail, office, and restaurant uses.

Water Service..... Existing on-site.

Sewer Service..... Existing on-site.

ITEM BEFORE THE BOARD

The action before the Board is approval of COA 2016-073-SPM-HPB-CLV, which incorporates the following aspects of the development proposal for **Swinton Commons**, pursuant to LDR Section 2.4.5(F):

- Class V Site Plan
- Landscape Plan
- Architectural Elevations
- Waiver
- Structure Relocations
- Structure Demolitions

The subject property is located on the south side of West Atlantic Avenue between SW 1st Avenue and Swinton Avenue and north of SW 1st Street. The development also includes the Sundry House property on the south side of SW 1st Street, between Swinton Avenue and SW 1st Avenue. The property also includes that on the south side of SE 1st Street, between Swinton Avenue and SE 1st Avenue and at the northwest corner of SE 1st Avenue and SE 1st Street.

BACKGROUND

The properties associated with the subject development proposal are zoned Old School Square Historic Arts District (OSSHAD) and located within the Old School Square Historic District. That portion of the project that fronts on West Atlantic Avenue and the proposed hotels that front on SE 1st Avenue are subject to the development standards of the Central Business District (CBD).

In 1998, the original conditional use request was approved by the City Commission for Sundry House (Lots 1-3, Sundry Estates Subdivision) and included 11 Residential-Type Inn units. The Class V Site Plan for the Sundry House and Inn was approved by the HPB on March 18, 1998. The Sundry House property is listed on the National Register of Historic Places, while Lots 4-20 within Block 61, contains seven (7) contributing structures, and Lots 15-20, within Block 70, contains four (4) contributing structures.

At its April 4, 2007 meeting, the Board considered the conditional use request to expand the residential-type inn use within the Sundry House property located on Block 62, and establish the residential-type inn use within Blocks 61 and 70, located to the north and east, respectively. The request would have placed a total of 87 units within the development. The City Commission approved the request at its meeting of May 1, 2007. However, the units were never built and the approval has expired.

It is important to note that throughout the Spring of 2006, the Treasure Coast Regional Planning Council (TCRPC) analyzed the existing conditions of the South Swinton Avenue corridor. After multiple public meetings, a final presentation was made to the City Commission where the TCRPC's final recommendations were submitted. The applicant has taken those recommendations and used them as the template for the subject proposal.

The property (31 SE 1st Avenue) that is north of the northwest corner of SE 1st Avenue and SE 1st Street contains an eleven space surface parking lot constructed in 2005. Prior to construction of the surface parking lot, the property contained a contributing 1,075 square foot mission style single-family dwelling constructed in 1925, and a detached studio apartment constructed in 1977. At its meeting of February 2, 2005, the HPB granted approval to demolish the structures and replace them with a surface parking lot that included two landscape waivers.

The original structure at 36 SE 1st Avenue was classified as contributing to the Old School Square Historic District; in 2010 it was approved for relocation to the West Settlers Historic District where it was designated as The Harvel House. The reuse of this building in its location at 36 SE 1st Avenue was deemed to have been compromised by development pressures; therefore, the Delray Beach CRA has purchased the structure and relocated it to 186 NW 5th. The relocation was initially necessitated by the 2008 approval of an appeal request to the City Commission to overturn the Historic Preservation Board's denial of a Class V Site Plan application which included the relocation of the subject structure and subsequent redevelopment of the property. While the redevelopment has since expired, the CRA was prepared to take and reuse the structure rather than leave it to fall into disrepair.

The property at 48 SE 1st Avenue contains an existing two-story contributing 4,107 square foot building built in 1955 and designed by Sam Ogren, Jr. At its meeting of July 10, 1984, the City Commission approved a conditional use application for an Adult Living Facility for Mariposa subject to conditions including that a lease agreement and stabilized sod parking spaces be provided off-site on the adjacent property to the north. An off-site parking agreement was executed to allow nine sod parking spaces on the adjacent property.

The action now before the Board is approval of a site plan, landscape plan, architectural elevations, and waivers for a revised project.

PROJECT DESCRIPTION

The development proposal incorporates the following:

- Construction of 35,049 square feet of retail; 22,525 square feet of restaurant; 21,872 square feet of office; 44 dwelling units; 39 residential-type inn units; and 109 hotel rooms.
- The development proposal includes the relocation of seven of the existing contributing buildings and reconstruction of one existing building. Relocation of six of the contributing buildings will occur on Block 61 along Swinton Avenue; and another contributing building will be relocated from Block 61 to the Sundry House property. The material of the structure to be reconstructed on the Sundry House property will be taken from the existing building on Block 70.
- Demolition of nine structures.
- Block 61 will include a wide pedestrian plaza that is in the location of alley in the Block.
- Block 61 includes a valet queue at the north end of the block. The majority of parking for the project is located in a subgrade parking lot on Block 61 that will be utilized by valet and self-parking. The hotel on Block 69 also includes a subgrade parking garage.
- The hotel buildings on Block 69 and Block 70 also include mechanical parking lifts.
- The primary loading and trash compound is located along SW 1st Avenue.

The development proposal includes waivers to the following sections of the Land Development Regulations:

1. A waiver to LDR Section 4.4.24(F)(4), which allows a maximum width of a building fronting a street shall be limited to 60', where 163' and 135' respectively are proposed.

SITE PLAN ANALYSIS

COMPLIANCE WITH THE LAND DEVELOPMENT REGULATIONS:

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

Building Setbacks:

The following tables indicate that the proposal complies with LDR Section 4.4.24[Old School Square Historic Arts District] and Section 4.4.13 [Central Business District (CBD)] zoning district.

Central Business District			
		Standard:	Provided:
Minimum Lot Area		2,000 sq.ft.	72,470.53 sq.ft.
Minimum Lot Width		20'	254' Block 61 150' Block 69 135' Block 70 220' Block Sundry
Building Height:		4 stories & 54' maximum	4 stories & 54' maximum
Building Setbacks:	Front		10' SW 1 st Av.
			10' Atlantic Av.
			11.5' Swinton Av.
			12' SE 1 st Av.
			15' SE 1 st Street
	Front above 3 rd story		22' Block 61
			22' Block 69
			22' Block 70
	Rear		10' Block 69
			24.7' Block 70
Density		12 du/ac	9.64 du/ac
Civic Open Space:	5% of area>20,000	Block 61 699 sq.ft.	1,557 sq.ft.
		Block 69 202 sq.ft.	251 sq.ft.

Old School Square Historic Arts District			
		Standard:	Provided:
Minimum Lot Area		8,000 sq.ft.	209,562 sq.ft.
Minimum Lot Width		80'	557.46' Block 61 135.02 Block 70
Minimum Lot Depth		100'	266.03 Block 61 138' Block 70
Max. Lot Coverage		40%	26%
Minimum Open Space		25%	29%
Building Height:		35' maximum	34' Block 70
			35' Block 61
Building Setbacks:	Front		25' Block 61

		25'	25' Block 70 25' Sundry Block
	Side Street	15'	15' Block 61 33' Block 70
	Side Interior	7.5'	15' Block 70 59' Sundry Block

Central Business District (CBD) & Old School Square Historic Arts District (OSSHAD) Regulations:

Parking Requirements:

Per LDR Section 4.4.13(I), within the CBD zoning district, the parking required for the hotel is 0.7 space per guest room plus one space per 800 square feet of meeting rooms and shops. The required parking for the office use is one space per 300 square feet of net floor. The parking requirement for retail and commercial uses is one space per 500 square feet of net floor area. The required parking for the restaurant is 6 spaces per 1,000 square feet of gross floor area.

Per LDR Section 4.4.24(G)(4), within the OSSHAD zoning district, 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. This requirement may be reduced to one parking space per 400 sq.ft. of gross floor area, or by at least one space, where there is a mix of residential and non-residential use in the same structure. Restaurants shall provide six spaces per one thousand square feet of total new or existing floor area being converted to restaurant use. Residential-type inns shall provide one parking space per guest room/unit. Business and professional offices shall provide one space per 300 sq. ft. of total new or existing net floor area being converted to office use. This requirement may be reduced to one parking space per 400 sq.ft. of net floor area, or by at least one space, where there is a mix of residential and office use in the same structure.

Based on the above, the required parking for the proposed development is 377 spaces and 383 spaces are provided. Thus, the development has met the City's parking requirements.

OTHER ITEMS:

Auxiliary Power Generator:

Per LDR Section 4.3.3(OO), the hotel is required to provide an auxiliary power generator for all interior corridor lighting and exit signs and at least one public elevator. Further, the generator needs to be designed and equipped to operate the full capacity of the equipment being served for a period not less than 120 hours. The multi-story building along Atlantic Avenue also requires an auxiliary power generator. A condition of approval is attached that the location of these generators are provided on the plans together with the source of fuel.

Photometrics:

A photometric plan has been submitted that demonstrates compliance with the illumination standards of LDR Section 4.6.8.

Bicycle Parking:

Per LDR Section 4.4.13(I)(4), a minimum of 63 bicycle parking spaces are required. The development proposal complies with this requirement since 71 bicycle parking spaces are provided on the property.

WAIVER

Pursuant to LDR Section 2.4.7(B)(5), 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.

Building Width:

Per LDR Section 4.4.24(F)(4), the maximum width of a building fronting a street shall be limited to 60' and shall have a minimum separation of 15' between buildings fronting a street in a development site that contains more than one structure. The two Residential-type Inn buildings along SW 1st Avenue, the Inn building along Swinton Avenue (building #3), and the Inn building at the southeast corner of Swinton Avenue and SE 1st Street exceed the 60-foot maximum.

The applicant has submitted the following verbatim narrative in support of the waiver:

"Atlantic Ave Development, LLC and MGM Sundy House, LLC (collectively "Petitioner") are the owners of several individual parcels in Block 61, Block 69, Block 70 and in the Sundy Block ("Property") within the City of Delray Beach ("City"). The overall Property is zoned Central Business District ("CBD") and Old School Square Arts Historic District ("OSSHAD") and the underlying land use is Other Mixed Use ("OMU").

The Property is partially developed with one vacant lot. The existing uses of the Property are a mixture of commercial/retail, office uses, restaurant, hotel, residential-type inn units, mostly vacant residential structures, -and -numerous areas of paved parking lots. Petitioner proposes to redevelop the Property by relocating certain contributing structures, demolishing substandard structures, and constructing new buildings, which overall will contain a mix of uses on the +/- 6.7 acres of the Property ("Swinton Commons Project"). A Site Plan Application was submitted to the City in January 2016 for a mix of residential, office and retail uses.

In order to redevelop the Swinton Commons Project, Petitioner requires certain waivers to exceed the maximum width of a building fronting a street in OSSHAD pursuant to the City's Land Development Regulations ("LDR") Section 4.4.24(F)(4). LDR Section 4.4.24(F)(4) provides that the maximum width of a building fronting a street shall be limited to sixty (60) feet and shall have a minimum separation of fifteen (15) feet between buildings fronting a street in a development site that contains more than one structure, except for properties identified in Sections 4.4.24(F)(1) and (2) and the Old School Square Cultural Arts Complex. Specifically, the Swinton Commons Project requires the following waivers:

<u>Block</u>	<u>Building</u>	<u>Maximum Building Width Permitted</u>	<u>Proposed Building Width</u>
61	3	60 feet	71 feet 7 inches
61	8	60 feet	156 feet 4 inches along S.W. First Avenue 103 feet along S.W. First Street
61	9	60 feet	153 feet 11.5 inches
70	6/7	60 feet	104 feet 4 inches along SE 1 st Street 81 feet 7 inches along S Swinton Avenue

Block 61, Building 2 requires an additional eleven (11) feet and seven (7) inches in building width only to serve a first floor connection to Building 1 in order to increase usable retail space, some of which was lost with the added breezeway. Block 61, Building 8 provides many of the necessary functional aspects of the Swinton Commons Project, which necessitates an additional ninety-six (96) feet and four (4) inches in building width along S.W. First Avenue and forty-three (43) feet along S.W. First Street. Twelve (12) residential inn units comprise Building 8. It also houses a receiving, loading, and solid waste area that has direct access to SW 1st Avenue and whose street frontage consumes fifty (50) feet and three (3) inches. A recycling area consumes an additional twenty-one (21) feet and one (1) inch of street frontage. Similarly, the FPL electric lines that run through the center of the property will be reworked to underground facilities, which requires an electrical vault that is shown within Building 8 on Sheet A1.02 of the site plan. Block 61, Building 9 requires an additional ninety-three (93) feet and eleven and a half (11.5) inches in building width in order to provide first floor retail and an additional twelve (12) residential inn units. Block 70, Building 6/7 requires an additional forty-four (44) feet and four (4) inches in building width along SE First Street and twenty-one (21) feet and seven (7) inches along South Swinton Avenue in order to accommodate fourteen (14) residential inn units and to integrate the building with the Sundry House.

Below, the Petitioner will demonstrate that there are sufficient findings that justify granting the requested waivers. Pursuant to LDR Section 2.4.7(B), 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;*

Petitioner's requested waivers will not adversely affect the neighboring area. LDR Section 4.4.24 was amended in October 2004 to regulate development size, massing, and scale in OSSHAD ("2004 Amendment") for each individual parcel. In particular, LDR Section 4.4.24(F)(1) was amended to limit the building width to sixty (60) feet and provide a minimum fifteen (15) foot separation between buildings fronting a street for a development site that contained more than one structure. At the time of the 2004 Amendment, these specific dimensions were selected to reflect the average lot width of seventy-five (75) feet and required side setbacks of seven and a half (7.5) feet. While these provisions were intended to regulate the development of individual lots within OSSHAD, the 2004 Amendment did not contemplate the redevelopment of an entire block within OSSHAD as proposed by Petitioner. The redevelopment of Block 61 was chosen for the Swinton Commons Project because of the predominance of open vacant field and surface parking lots which offer little historical relevance to the overall block. In addition to all of Block 61, Petitioner is proposing redevelopment of portions of neighboring blocks, such as the Sundry Block, Lot 69, and Lot 70. Therefore, Petitioner is in a unique position and has the unique ability to layout an efficient site plan that results in sensible development size, massing, and scale and efficient integration of the neighboring area. Furthermore, the 2004 Amendment did not envision a mix of OSSHAD and CBD. Strict application of the LDR would impede the Petitioner from proposing reasonable transitions between OSSHAD and CBD and from proposing a site plan that integrates not only all the lots located in Block 61, but also the redevelopment of three additional neighboring blocks in

OSSHAD. Granting the requested waivers meets the original intent of LDR Section 4.4.24(F)(1) and gives the Petitioner the flexibility to propose a site plan that efficiently lays out the Project's mixed uses that enhance the historic district, increase the pedestrian scale of the area, and integrate neighboring areas.

(b) Shall not significantly diminish the provision of public facilities;

Petitioner's requested waivers will not significantly diminish the provision of public facilities. In fact, granting this waiver will result in the consolidation and protection of public facilities. Additionally, important provisions for parking access and loading/delivery areas necessitate a wider building than permitted by the City's LDR. The requested waiver is necessary to allow for functional site elements related to loading, delivery, parking, and utilities.

(c) Shall not create an unsafe situation; and

Petitioner's requested waivers do not create an unsafe situation. In fact, the Swinton Commons Project creates a safer environment by increasing pedestrian activity and visibility. Presently, the area is greatly in need of redevelopment with little pedestrian activity and visibility. There is a predominance of open vacant field and surface parking lots that are hidden behind buildings, landscaping, and other parking lots. Petitioner proposes a site plan that intentionally creates pedestrian activity and visibility within and throughout the Swinton Commons Project. A valet drop-off and landscaped courtyard are located within the development. Pedestrian walkways are available on the north, south, east and west side of the development. First floor retail and restaurants throughout the development will increase pedestrian traffic and activity; thus, providing for more visibility and security from other pedestrians, neighboring businesses, and on-site residents.

(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.

Petitioner's requested waivers will not result in the grant of a special privilege and the same waiver could be granted under similar circumstances on other property for another applicant or owner. The requested waivers are necessary to meet the intent of OSSHAD, which is to provide for mixed uses of residential, office, and commercial activities. Another applicant or owner facing similar circumstances would have the opportunity to apply, justify, and request the same waivers."

The proposed waiver will have no meaningful impact on the neighboring area. The subject buildings border on SW 1st Avenue, which are located across from the library, surface parking lot, and the Palm Beach County parking garage. The streetscape of the library and parking garage will not be impacted by allowing buildings wider than 60'. The wider buildings will have no impact on the provision of public facilities and will not create an unsafe situation. Given the surrounding use of land, the waiver will not grant a special privilege and would be supported for other properties with similar circumstances.

LANDSCAPE ANALYSIS

On the Swinton Commons Tree Disposition Plans, as stated on the "Tree Disposition Summary", 136 trees are to be removed. There are 786 inches of DBH (Diameter at Breast Height) for trees greater than or equal to a 50% condition rating. 696 of those inches are for trees greater than eight (8) inch DBH and 90 inches for trees between four (4) inch and eight (8) inch DBH. The trees being removed include older Southern Live Oak, Mahogany, Gumbo Limbo

and many larger fruit trees, such as Mango, Avocado, Lychee, Starfruit and Sapodilla. On the “Tree Disposition Summary”, it is stated that 26 trees will be relocated within the project. 89 palms will be removed. The palms that are being removed, include Sabal, Coconut, Royal and Christmas palms.

On the Tree Disposition Plans, as stated on the “Tree Mitigation Summary”, of the 696 inches required to be replaced for trees greater than eight (8) inch DBH, 88 inches are being provided on the Landscape Plans. On the “Tree Mitigation Summary”, of the 90 inches required to be replaced for trees between four (4) and eight (8) inch DBH, none are being provided for on the Landscape Plans. Also on the “Tree Mitigation Summary”, it is stated that the 89 palms being removed will be replaced with 130 palms on the Landscape Plans. As stated on the “Tree Mitigation Summary”, the remainder of the DBH will be replaced by a payment into the City of Delray Beach Trust Fund. The site planning of the buildings and hardscape areas, was conducted with an attempt to preserve some of the larger “historical” Banyan trees, that are located on the Swinton Commons properties.

On the Landscape Plans, the “Plant Schedule” includes Trees: Gumbo Limbo, Silver Buttonwood, Sea Grape, Natchez Crape Myrtle and Southern Live Oaks; Palm Trees: Christmas Palms, Paurotis Palms, Green Malayan Coconut Palms, Medjool Date Palms, Florida Thatch Palms, Florida Royal Palms, Montgomery Palms and Foxtail Palms; Shrubs: Raspberry and Gazpacho Bromeliads, Seabreeze Bamboo, Gold dust Croton, Auntie Lou Ti Plants, Small Leaf Clusia, Red-Tip Cocoplum, ‘Queen Emma’ Crinum Lily, Spanish Stopper, Green Island Ficus, Firebush, Myers Foxtail Ferns, Pink Muhly Grass, Burle Marx Philodendron and Dwarf Fakahatchee Grass; Ground Covers: Blueberry Flax Lily, Beach Sunflower, Dwarf Yaupon, Emerald Goddess Liriope, White Pentas and Asiatic Jasmine. The street trees along Swinton Avenue, S.W. 1st Avenue and S.E. 1st Avenue are indicated to be Southern Live Oaks. The street trees along Atlantic Avenue, S.E. 1st Street, between S.E. 1st Avenue and Swinton Avenue are indicated to be Royal Palms. The street trees along S.E. 1st Street, between Swinton Avenue and S.W. 1st Avenue, are indicated to be Natchez Crape Myrtles.

Along Swinton Avenue, the existing landscape nodes were indicated on the Tree Disposition Plans to have the existing Southern Live Oak trees replaced with Montgomery Palms. The existing Southern Live Oak trees are being over-pruned, due to the existing overhead utility lines that are on the west side of Swinton Avenue. The replacement with palm trees was to alleviate this required over-pruned condition on the Southern Live Oak trees. If those utility lines are to be placed underground, then in the opinion of the City Planning staff, the replacement and plant palette for those landscape nodes should be revisited. It is the desire of staff to retain the shade trees or at least retain the existing plant species that are within the landscape nodes, located along the Swinton Avenue corridor: Southern Live Oaks and Sabal Palms.

The overall Landscape Plans have been designed to create detailed planting and a central hardscape “common” connecting the various structures and land uses throughout the Swinton Commons properties. Although the “common” is designed in fairly detailed manner, it is the opinion of staff that the landscape design, around some of the “historic buildings”, once their final use is determined, should be increased and detailed to fit these residential scale structures.

ARCHITECTURAL ELEVATIONS SECTION 4.5.1, HISTORIC PRESERVATION DISTRICTS AND SITES
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Pursuant to LDR Section 2.4.6(H)(5), Procedures for Obtaining Permits and Approvals, Certificate of Appropriateness for Individually Designated Historic Structures and all Properties Located within Historic Districts, Findings, prior to approval, a finding must be made that any Certificate of Appropriateness which is to be approved is consistent

with Historic Preservation purposes pursuant to Objective A-4 of the Land Use Element of the Comprehensive Plan and specifically with provisions of Section 4.5.1, and the Secretary of the Interior's Standards for Rehabilitation.

Pursuant to LDR Section 4.5.1(E), Historic Preservation Sites and Districts, 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, and the Secretary of the Interior's Standards for Rehabilitation.

Pursuant to LDR Section 4.5.1(E)(2)(b)(1), Major and Minor development, the subject proposal is classified as both Major and Minor Development. The portion of the property that is zoned OSSHAD and contains both contributing and non-contributing structures that is being modified by more than 25% is classified as Major development. The portion of the property which is zoned OSSHAD and is subject to CBD Overlay regulations is classified as Minor development.

Pursuant to LDR Section 4.5.1(E)(3)(b)(1), Buildings, Structures, Appurtenances and Parking, parking areas 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 adjacent historic structures. At a minimum, the following criteria shall be considered:

- a. Locate parking adjacent to the building or in the rear.**
- b. Screen parking that can be viewed from a public right-of-way with fencing, landscaping, or a combination of the two.**
- 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.**
- f. Driveway type and design should convey the historic character of the district and the property.**

As previously noted, the project includes two types of parking areas, "underground" parking and surface parking. The "underground" parking is within two parking garages, Mechanical lift parking spaces are proposed within the Block 69 garage and lifts are not proposed within the Block 61 garage.

Two surface parking areas are proposed, one area behind each of the proposed hotel buildings located in Block 69 and 70. Access to these parking areas is provided from the adjacent alleyways to the rear of the hotel buildings. Mechanical parking lifts are proposed for the parking area to the rear of Block 69 and to the rear of Block 70. These parking areas meet the intent of this code section as they are screened from adjacent rights-of-way. This creative design allows the parking areas to contribute to the historic nature of the properties and the district as a whole meeting the required criteria of this code section.

Pursuant to LDR Section 4.5.1(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.

Pursuant to LDR Section 4.5.1(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.

Secretary of the Interior's Standards for Rehabilitation

According to the Secretary of the Interior, these Standards are for rehabilitation projects and are applied to projects in a reasonable manner, taking into consideration economic and technical feasibility. The Standards apply to historic buildings of all periods, styles, types, materials and sizes. They apply to both the exterior and the interior of historic buildings. The Standards also encompass related landscape features and the building's site and environment as well as attached, adjacent or related new construction.

Standard 1

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 2

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 3

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 4

Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

Standard 5

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

Standard 6

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 7

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 8

Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

Standard 9

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 10

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.

Existing Historic Component

These standards are to be applied to the existing historic structures within the scope of the overall subject development project. Several existing contributing structures are proposed for minor relocation and renovation, one structure is proposed to be reconstructed at a new location in the project and there are several new buildings proposed for construction. Further review and discussion of the new buildings is provided later in this analysis.

The existing structures are proposed to be placed in a new commercial use, which is common in OSSHAD as it is a mixed-use zoning district. The main changes to a majority of the structures involves their relocation within the block, which will not negatively affect the defining characteristics of each building. While the adaptive reuse of the properties requires changes, the necessary changes are not deemed to negatively impact the historic integrity of each of the structures. Changes to the individual structures that have acquired historic significance are planned to be retained and the proposal does not include changes, which add conjectural features or architectural elements to the structures.

Preserving the structures within the west side of South Swinton Avenue retains the original development pattern of the block and allows for the adaptive reuse of the structures while maintaining defining and distinctive characteristics of each structure. Historically, the structures involved in this block of South Swinton Avenue have not experienced a successful adaptive reuse. It is anticipated that the new construction will bolster the project affording success overall and attract businesses to South Swinton Avenue; thus, helping to protect the integrity of the structures, the property and the environment.

It is not anticipated that significant archeological resources exist on the subject property; however, should such resources be revealed during development of the project, mitigation measures shall be undertaken.

Chemical or physical treatments are inappropriate and should not be used.

New additions, exterior alterations, or related new construction is not proposed for the individual contributing structures. Overall, the proposal can be found to be in compliance with the intent of the Standards.

New Construction Component

In consideration of the Standards noted above and given the fact that the property contains many contributing principal and accessory structures as well as non-contributing structures such as the Rectory Office Building and the Check Cashing Store, the low-scale characteristic of the site and surrounding environment to the south and east will significantly change by the proposed new construction. This is based upon its inherently larger scale and mass, which is notable in new construction.

The related new construction is proposed to not destroy historic materials that characterize the property through the site design. The scale of the new construction is larger than the context of the existing historic properties and is primarily situated around the perimeter of the site, which is on the edge of the OSSHAD historic district and adjacent to existing larger scale projects such as the Delray Beach Public Library, the Worthing Place Development and the Federspiel Parking Garage. This configuration provides for the desired buffer and transition between the adjacent larger scale CBD zoned properties and the existing smaller scale historic properties. Also, the site configuration provides for large separations between the existing structures and the new buildings with the design of the new common area in the center of the project.

The new construction is clearly influenced by the Vernacular and Spanish influenced architectural styles of OSSHAD as well as complimentary architectural styles such as Anglo-Caribbean and Art Deco, which are identified as acceptable styles for the area by the Delray Beach CBD Architectural Design Guidelines.

The proposed commercial buildings that face Atlantic Avenue, Swinton Avenue and SW 1st Avenue (Buildings 1, 3, 4 & 9) incorporate a storefront design and courtyards on the first floor. The North and South Hotel Buildings in Block 69 & 70, respectively, features planters and forecourts on the first floor. The Residence-Inn Building (Building 6/7) features loggias and courtyard areas on the first floor. Storefronts, planters, forecourts, loggias and courtyards are all common features of commercial buildings along Atlantic Avenue and in the downtown. The new commercial buildings and the proposed layout of the overall site will better engage pedestrian traffic along the historic Swinton Avenue corridor and adjacent streets creating an improved opportunity for walkability.

Further, the proposed design of the structure situated at the intersection of Swinton and Atlantic Avenues completes the needed connection to West Atlantic Avenue beginning with the Delray Beach Public Library; thus, helping to solve the pedestrian connection puzzle of East and West Atlantic Avenue.

The proposed architectural styles of the new construction coupled with the site design is compatible and distinguished within the Old School Square Historic District. The new construction in and of itself will not impact the district, because if these lots were vacant said construction would be permitted. Should the new construction be removed in the future the area would be unimpaired; therefore, the proposal is generally in keeping with the applicable Standards. Further analysis is provided below with the Visual Compatibility Standards review section.

Pursuant to **LDR Section 4.5.1(E)(6), Relocation**, an individual analysis of each of the 8 individual properties proposed for Relocation has been provided and are attached as exhibits to this staff report.

Pursuant to LDR Section 4.5.1(E)(7)(a-m), Visual Compatibility Standards, new construction and all improvements to both contributing and noncontributing buildings, structures and appurtenances thereto within a designated historic district or on an individually designated property 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. Visual compatibility for minor and major development as referenced in Section 4.5.1(E)(2) shall be determined by utilizing criteria contained in (a)-(m) below.

(a) Height: 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. For major development, visual compatibility with respect to the height of residential structures shall also be determined through application of the Building Height Plane, First Floor Maximum Height, and Upper Story Height(s).

(b) **Front Facade Proportion:** The front facade of each building or structure shall be visually compatible with and be in direct relationship to the width of the building and to the height of the front elevation of other existing structures and buildings within the subject historic district.

(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.

(d) **Rhythm of Solids to Voids:** The relationship of solids to voids of a building or structure shall be visually compatible with existing historic buildings or structures within the subject historic district for all development, with particular attention paid to the front facades.

(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.

(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.

(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.

(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.

(i) **Walls of Continuity:** Walls, fences, evergreen landscape masses, or building facades, shall form cohesive walls of enclosure along a street to ensure visual compatibility with historic buildings or structures within the subject historic district and the structure to which it is visually related.

(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.

(k) **Directional Expression of Front Elevation:** A building shall be visually compatible with the buildings, structures, and sites within a historic district for all development with regard to its directional character, whether vertical or horizontal.

(l) **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.

(m) **Additions to Individually Designated Properties and Contributing Structures in all Historic Districts.**

The height of the proposed structures range from one-story to four-story buildings. The site has been designed to place a bulk of the taller buildings around the perimeter of the project boundary adjacent to larger scale CBD zoned properties such as the Delray Beach Public

Library, the Worthing Place Development and the Federspeil Parking Garage. Visual Compatibility for the OSSHAD zoned properties requires compliance with respect to the Building Height Plane, First Floor Maximum Height of 14', and the Upper Story Height maximum of 12'. The Building Height Plane requires the additional setback of upper stories from the front setback line in order to mitigate an impact on the streetscape. The proposal meets these requirements. The portion of the property that is zoned OSSHAD but is subject to the CBD Overlay is exempt from the requirement for Building Height Plane, First Floor Maximum Height of 14', and the Upper Story Height maximum of 12'.

Aside from the Waiver request for Buildings 3, 6/7, 8, and 9 in relation to maximum building width, as required by LDR Section 4.4.24(F)(4), the front façade proportion for the existing contributing buildings in combination with the new construction is generally proportionate with the overall width of the development site which spans an entire city block.

The site is designed with the larger building mass fronting Atlantic Avenue and the smaller buildings "stepping down" in scale along South Swinton Avenue, and SE & SW 1st Streets. Open spaces, courtyards and civic spaces are proposed throughout the project and between each individual contributing structure as well as through the center of Block 61. The new lot formation and proposed overall development will have a substantial impact on the rhythm of buildings on street and it can be demonstrated that the proposal is an improvement to what currently exists along some of the existing road frontages, which include several surface parking lots. The proposal also includes new subterranean parking for the storage of automobiles, which subordinates the importance of the automobile in a physical way. Also, the existing above ground utility lines are proposed to be placed underground, which will have an impact upon the existing environments. The variety of proposed architectural styles in relation to the proportion of newly arranged open space areas demonstrates the proposals' compliance with visual compatibility in the context of Rhythm of Buildings on Streets.

The historic relationship of entrances and porch projections to the sidewalks of the newly relocated contributing structures will be re-established through the shifting of the structures within the block. The new construction has been designed to be generally in context with this historic relationship of entrances/porch projections to sidewalks through the use of arcades, storefronts, planters, loggias and courtyards.

The proportion of openings is appropriate for the different styles of each of the new buildings, and the overall rhythm of solids and voids is compatible. This is evident in each façade. The rhythm of the entrance and the upper story projections are appropriate, as well and are not incompatible for the historic district. These projections also assist in breaking up the front façade and creating additional visual interest.

The relationship of materials, primarily stucco, siding and glass, is appropriate, with colors and textures to accent the building details and overall variety of architectural styles. Proposed roof shapes have been designed to be compatible with the shape of existing structures and buildings within the Old School Square Historic District and with the architectural style of each building.

In consideration of the compatibility of the wall of continuity standard: while there are retaining walls proposed along portions of the street-side of the property, these walls are in response to the drastic grade change that occurs on the property. The design of the retaining walls are pedestrian in scale and landscaping is proposed to soften their edges, which is compatible with respect to continuity.

The directional expression of the front elevations of all structures (existing and proposed) and is clear and evident in the design, and is thereby compatible with the district. The proposed architectural style is consistent with the built environment and does not introduce a new style to

the district. The proposal does not include additions to any of the existing contributing structures.

Given the above, positive findings can generally be made with respect to the Visual Compatibility Standards.

Pursuant to LDR Section 4.5.1(F), Demolition, demolition of historic or archaeological sites, or buildings, structures, improvements and appurtenances within historic districts shall be regulated by the Historic Preservation Board and shall be subject to requirements. An individual analysis of each of the 9 individual properties proposed for Demolition has been provided and are attached as exhibits to this staff report.

ARCHITECTURAL ELEVATIONS

OSSHAD with Central Business District (CBD) Overlay

Four new buildings are located within the OSSHAD with CBD Overlay: Building 1, Building 2, North Hotel, and South Hotel. LDR Section 4.4.13(F), "Architectural Standards," sets forth regulations for buildings in the downtown area, which apply to all buildings in the CBD and in the OSSHAD with CBD Overlay. The regulations intend to ensure high quality design through standards related to façade composition and the use of appropriate architectural style(s).

Pursuant to LDR Section 4.4.13(F)(2)(a), Buildings articulations that respond to the site's unique urban condition, such as but limited to, locations on corners, near public open spaces, terminating the visual axis of a street, and/or that emphasize main building entries, shall be clearly expressed in the design.

1. **Building articulations in the form of a change in building height and building placement shall be incorporated so that building façade proportions do not exceed height to width ratios of 3:1 or 1:3 (Figure 4.4.13-29).**
2. **Building articulations shall be reinforced by changes in roof design, fenestration patterns, or architectural elements.**

Pursuant to LDR Section 4.4.13(F)(2)(b) Tripartite Composition (Base, Middle, Top), all buildings shall have a clearly expressed base, middle, and top in the façade design.

Pursuant to LDR Section 4.4.13(F)(3) Appropriate Architectural Styles. The "Delray Beach Central Business District Architectural Design Guidelines", adopted by Ordinance 28-15 on December 8, 2015, identifies seven 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 seven architectural styles are described and illustrated in the Central Business District Architectural Design Guidelines (the "guidelines"): Florida Vernacular, Anglo-Caribbean, Mediterranean Revival, Classical Tradition, Art Deco, Masonry Modern, and Main Street Vernacular. Mixing elements of various styles together is not permitted; however, projects comprised of multiple buildings may use more than one style (one per building), and portions of facades on long buildings may be designed using different styles, provided one style per portion is used.

In addition to architectural style, Section 4.4.13 regulates frontage standards.

Pursuant to LDR Section 4.4.13(E) Frontage Standards. Frontage Standards define architecture and design components for the entrance(s) to buildings and the area between building facades and streets. Building setbacks and other development standards are coordinated with street cross-sections to ensure a superior public realm results, improving both the overall visual appearance and multi-modal uses of downtown streets.

Frontage Standards are comprised of Streetscape Standards (LDR Section 4.4.13(E)(2)) and Frontage Types (LDR Section 4.4.13(E)(4)). Streetscape Standards regulate minimum curb zone, pedestrian clear zone, and landscaping, including the provision of street trees. Frontage Types provides seven distinct options for detailing the main entry to a building: porch, stoop, bracketed balcony, forecourt, storefront, arcade, or lobby entry.

As previously noted, since these four buildings are entirely new construction within the OSSHAD with CBD overlay, they are classified as minor development. As such, they are evaluated pursuant to the criteria in LDR Section 4.4.13 and Section 4.6.18(E) as set forth below. 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.

Building 1

Building Articulation

Building 1 is the largest building in the project, extending 205'-1" along Atlantic Avenue. The proposed building is four stories tall. The most significant building articulation is achieved by the civic open space located on the corner of Atlantic Avenue and Swinton Avenue. Building 1 and Building 2 are positioned to frame the plaza. An open-air breezeway between the two buildings connects the plaza to an internalized pedestrian walkway and is physically denoted with a tower element. Extending from the plaza westward, the façade has articulations generally consistent with the intent of the code. These articulations are achieved by slight shifts in building façade location and differing roof lines. Changes in fenestration shape and pattern, detailing material, and the use of balconies are used to distinguish different portions of the façade.

Tripartite Composition (Base, Middle, Top)

The building has a base, middle, and top generally consistent with the intent of the code. The base of the building is the first story, which is defined by storefronts with awnings. The middle is the upper stories of the building. The building sets back at the top of the second story, which reduces the scale of the building, but also divides the middle portion of the building. In some instances, windows change in size and shape on the fourth story, which distinguishes the top floor. The roof line detailing denotes the top of the building.

Architectural Style

Building 1 uses three of the approved CBD Architectural Styles. Mediterranean Revival is used on the easternmost portion of the façade at the corner of Swinton Avenue; Anglo Caribbean is

used in the central portion of the building; and Art Deco is the style at the corner of SW First Ave.

The Mediterranean Revival portion of the building has the following defining characteristics identified in the guidelines: smooth stucco finish with minimal window surrounds, attached arcade elements, wood brackets and corbels supporting balconies and overhangs, metal railings, and concrete "S" tile roofs. A tower element provides a variation in height and massing, which is consistent with the style.

The Anglo Caribbean portion of the façade has the following defining characteristics identified in the guidelines: smooth stucco finish, a sculptural parapet element, symmetrical façade composition, standing seam metal roof with brackets supporting the overhang, and metal railings.

The Art Deco building has simple geometries in a traditional, rather than streamline modern execution of the style. The Art Deco portion of the building has the following defining characteristics identified in the guidelines: smooth stucco finish with geometric motif stucco adornments, cantilevered balconies, metal railings, and flat roof with parapet. Cantilevered eyebrows are provided on the west façade.

It is noted that some discrepancies exist between the architectural elevations and the floor plans related to fenestration pattern, building articulation, and balcony location. Prior to building permit, the floor plans must accurately reflect approved architectural elevations and this is attached as a condition of approval.

Frontage Standards

Building 1 uses the Storefront frontage type along the entire base of the building with an arcade element on the east side of the north facade. Dimensional requirements for the required streetscape components and the Storefront and Arcade frontage types are analyzed in the table below.

Frontage Standards	Required	Provided
Curb Zone	4 feet min.	SW 1 st Avenue: 4'-0" Atlantic Avenue: 4'-2 ½" S Swinton Avenue: 8'-0"
Pedestrian Clear Zone	6 feet min.	SW 1 st Avenue: 8'-3 ½" Atlantic Avenue: 6'-11 ½" S Swinton Avenue: 10'-0"
Street Trees (30 feet o.c.)	SW 1 st Avenue: 4 trees Atlantic Avenue: 7 trees S Swinton Avenue: 3 trees	SW 1 st Ave: 6 Montgomery Palms Atlantic Avenue: 5 Royal Palms S Swinton Ave: 5 Montgomery Palms
Storefront Frontage Type*	Required	Provided
Store Width on Req. Retail Street	75 feet max.	40 feet – 53 feet
Storefront Base	9 inches min. / 3 feet max.	9 inches
Glazing Height	8 feet min.	10 feet
Required Openings	80% min.	84%
Arcade Frontage Type*	Required	Provided
Arcade Depth	10 feet min. / 20 feet max.	10 feet
Arcade Height	10 feet min. / 20 feet max.	10 to 14 feet
Column to Face of Curb	2 feet min. / 4 feet max.	N/A (Not in Public ROW)*
Column Width and Depth	1 foot min.	1 foot

*It is important to note that grading and finished floor elevation requirements result in a site design configuration where the finished floor elevation is at the sidewalk level at the corner of Atlantic Avenue and South Swinton Avenue, but gradually slopes to an elevation of approximately 2'-4 ½" at the corner of Atlantic Avenue and SW 1st Avenue. The site plan design provides the required curb and pedestrian clear zones within the public right-of-way and also establishes a parallel pedestrian route with landscaping along the front of the building. Storefront and Arcade frontage types are generally used at the sidewalk level. Despite the grade changes, the site design is generally consistent with the intent of the code.

As designed, the project meets the streetscape standards, except for the provision of street trees along Atlantic Avenue. At a maximum spacing of 30 feet on center, the block should be planted with at least 7 trees; 5 trees are provided. The species is Royal Palm, which is established along the corridor though used in conjunction with oak trees.

Prior to certification, the site plan and landscape plan shall be revised to incorporate at least two more trees of an oak species in the Atlantic Avenue streetscape and this is attached as a condition of approval.

Building 2

Building Articulation

Building 2 is a Mediterranean Revival style building located on the corner of Atlantic Avenue and South Swinton Avenue. The proposed building is four stories tall. Building articulation is achieved by an arcade element facing South Swinton Avenue and building setbacks above the second story. An open-air breezeway between Building 1 and 2 that connects the adjacent plaza to an internalized pedestrian walkway is physically denoted with a tower element. The overall façade compositions are asymmetrical, which is consistent with the style.

Tripartite Composition (Base, Middle, Top)

The building has a base, middle, and top generally consistent with the intent of the code. The base of the building is the first story, which is defined by storefronts with awnings facing the civic open space and an arcade element with storefronts facing South Swinton Avenue. The middle is the upper stories of the building. The building sets back at the top of the second story, which reduces the scale of the building, but also divides the middle portion of the building. The fourth story balcony element and roof line detailing denotes the top of the building.

Architectural Style

The building has the following defining characteristics of Mediterranean Revival as identified in the guidelines: smooth stucco finish with minimal window surrounds, an attached arcade element, wood brackets and corbels supporting balconies and overhangs, metal railings, and concrete "S" tile roofs. The tower element provides a variation in height and massing, which is consistent with the style.

Frontage Standards

Building 2 uses the arcade frontage type on the east facade. Dimensional requirements for the required streetscape components and Arcade frontage type are analyzed in the table below.

Frontage Standards	Required	Provided
Curb Zone	4 feet min.	8'-0"
Pedestrian Clear Zone	6 feet min.	10'-0"
Street Trees (30 feet o.c. max)	3 trees	5 Montgomery Palms
Arcade Frontage Type*	Required	Provided
Arcade Depth	10 feet min. / 20 feet max.	10 feet
Arcade Height	10 feet min. / 20 feet max.	10 to 14 feet
Column to Face of Curb	2 feet min. / 4 feet max.	N/A (Not in Public ROW)*
Column Width and Depth	1 foot min.	1 foot

The project meets the minimum standards for the streetscape and frontage type standards.

North Hotel

Building Articulation

North Hotel is designed using the Classical Tradition style. The building is located on the northwest corner of Southeast 1st Street and Southeast 1st Avenue. The proposed building is four stories tall. The façades are generally symmetrical, composed using a vertically proportioned bay spacing, which is consistent with the style. Building articulation is provided by distinctions in the façade defined by pediments punctuating the hipped roof line and changes in the fenestration pattern.

Tripartite Composition (Base, Middle, Top)

The building has a base, middle, and top generally consistent with the intent of the code. The base of the building is the first story, which is defined by a series of arched openings and a cornice line. The middle is the second and third stories of the building. The recessed fourth story defines the top, with a balcony element and pediments.

Architectural Style

The building has the following defining characteristics of Classical Tradition as identified in the guidelines: a rational and symmetrical arrangement of elements, simplified classical detailing (moldings and cornices), thickened corners with quoining, a limited palette of window and door sizes, and a hipped roof line with pediments.

It is noted that some discrepancies exist between the architectural elevations and floor plans related to fenestration pattern, building articulation, and balcony location. Prior to building permit, the floor plans must accurately reflect approved architectural elevations and this is attached as a condition of approval.

Frontage Standards

A Forecourt frontage type is the main entry of the North Hotel facing Southeast 1st Street. Stoop Frontage type provides access from Southeast 1st Avenue. Dimensional requirements for the required streetscape components and Forecourt and Stoop frontage types are analyzed in the table below.

Frontage Standards	Required	Provided
Curb Zone	4 feet min.	SE 1 st Avenue: 4'-6 ½" SE 1 st Street: 4'-1 ½"
Pedestrian Clear Zone	6 feet min.	SE 1 st Avenue: 6'-0" SE 1 st Street: 7'- ½ "
Street Trees (30 feet o.c. max)	SE 1 st Avenue: 6 trees SE 1 st Street: 3 trees	SE 1 st Avenue: 6 Live Oak SE 1 st Street: 2 Jatropha & 2 Silver Buttonwood

Forecourt Frontage Type	Required	Provided
Depth	10 feet min. / 20 feet max.	19'-2"
Width	20 feet min. / 50% of Façade max.	32 feet
Elevation	3 feet max.	2'-8"
Stoop Frontage Type	Required	Provided
Depth	5 feet min. / 8 feet max.	8 feet
Width	4 feet min.	10 feet
Elevation	1 foot min. / 4 feet max.	3'-9"

The building meets the required streetscape and frontage type standards. The remaining set back area not used for required streetscape components is proposed to be landscaped; however, the change in grade between the sidewalk and building is not resolved in the landscape design. The slope is too steep from the building towards the street to be viable over time. Prior to site plan certification, the proposed landscaping in the front setback areas should be redesigned to terrace the slope to prevent run off on the sidewalk and erosion and this is attached as a condition of approval.

South Hotel

Building Articulation

The south hotel is designed using the Classical Tradition style. The building is located on the southwest corner of Southeast 1st Street and Southeast 1st Avenue. The proposed building is four stories tall. The building has a corner lobby entrance. The remaining portion of the north façade is composed of vertically proportioned bays with symmetrical elements, which is consistent with the style. The remaining portion of the east elevation is symmetrical in design (with the exception of one ground floor door) which is generally consistent with the style. Building articulation is provided by distinctions in the façade defined by the corner lobby entry and pediments punctuating the hipped roof line and changes in the fenestration pattern.

Tripartite Composition (Base, Middle, Top)

The building has a base, middle, and top generally consistent with the intent of the code. The base of the building is the first story, which is defined by a series of arched openings. The middle is the second and third stories of the building. The recessed fourth story defines the top with the roofline and pediments.

Architectural Style

The building has the following defining characteristics of Classical Tradition as identified in the guidelines: a rational and symmetrical arrangement of elements, simplified classical detailing (moldings and cornices), thickened corners with quoining, a limited palette of window and door sizes, and a hipped roof line with pediments.

It is noted that some discrepancies exist between the architectural elevations and floor plans related to fenestration pattern, building articulation, and balcony location. Prior to building permit, the floor plans must accurately reflect approved architectural elevations and this is attached as a condition of approval.

Frontage Standards

A Lobby frontage type is the main entry of the South Hotel facing Southeast 1st Street. The Lobby frontage type is an architectural feature than emphasizes the main entry to the building. Dimensional requirements for the required streetscape components and the Lobby frontage types are analyzed in the table below.

Frontage Standards	Required	Provided
Curb Zone	4 feet min.	SE 1 st Avenue: 4'-0" SE 1 st Street: 4'-0"
Pedestrian Clear Zone	6 feet min.	SE 1 st Avenue: 6'-0" SE 1 st Street: 6'-0"
Street Trees (30 feet o.c.)	SE 1 st Avenue: 4 trees SE 1 st Street: 4 trees	SE 1 st Avenue: 4 Live Oak SE 1 st Street: 5 Royal Palms & 1 Silver Buttonwood
Lobby Frontage Type*	Required	Provided
Depth	10 feet min. / 20 feet max.	19'-2"
Width	20 feet min. / 50% of Façade max.	32 feet

The remaining setback area not used for required streetscape components is proposed to be landscaped; however, the change in grade between the sidewalk and building is not resolved in the landscape design. The slope is too steep from the building towards the street to be viable over time. Prior to site plan certification, the proposed landscaping in the front setback areas should be redesigned to terrace the slope to prevent run off on the sidewalk and erosion and this is attached as a condition of approval.

REQUIRED FINDINGS

Pursuant to 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. These findings relate to the Future Land Use Map and Comprehensive Plan Consistency, Concurrency, and Compliance with the Land Development Regulations. At its meeting of May 7, 2002, the City Commission made positive findings with respect to the Future Land Use Map, Comprehensive Plan Consistency, and Concurrency provided conditions of approval are addressed. However, the following is provided:

Section 3.1.1 (A) - Future Land Use Map:

That subject property has a FLUM (Future Land Use Map) designation of OMU (Other Mixed Use) and zoning designation of OSSHAD. That portion of the property that fronts on West Atlantic Avenue and at the northwest and southwest corners of SE 1st Avenue and SE 1st Street are subject to the development regulations of the CBD (Central Business District). The OSSHAD zoning district is consistent with the OMU FLUM designation. Thus, positive findings can be made with respect to Future Land Use Map consistency.

Section 3.1.1 (B) - Concurrency:

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

Section 3.1.1 (C) - Consistency (Standards for Site Plan Actions):

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

Section 3.1.1 (D) - Compliance With the Land Development Regulations:

As described under the Site Plan Analysis of this report, a positive finding of compliance with the LDRs can be made, provided that all outstanding items attached as conditions of approval are addressed.

Comprehensive Plan Policies:

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

Future Land Use Element Objective A-1 - Property shall be developed or redeveloped in a manner so that the future use and intensity is appropriate and complies in terms of soil, topographic, and other applicable physical considerations, is complimentary to adjacent land uses, and fulfills remaining land use needs.

The guests of the hotel will provide a unique tourist customer base for the surrounding businesses. These guests will provide economic stability for businesses in the area, particularly with respect to the restaurant and entertainment sectors. This is also true of the office portion of the development. The office employees will provide a day-time customer base for area businesses with a particular emphasis on restaurants together with the residents and customers of the Residential-type Inns.

Transportation Element Policy D-2.2 – Bicycle parking and facilities shall be required on all new development and redevelopment. Particular emphasis is to be placed on development within the TCEA Area.

Bicycle parking is provided throughout the project.

Section 2.4.5 (F)(5) - Compatibility (Site Plan Findings): The approving body must make a finding that development of the property pursuant to the site plan 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.

The subject property is bordered to the north and east by the OSSHAD zoning district and to west by CF, CBD, RO, and RM zoning districts and to the south by CF and OSSHAD zoning districts. The adjacent land uses include: to the north across Atlantic Avenue by restaurant uses, to the south by a church and residential, to the east by restaurant uses and multiple family, and to the west by a library and multiple family residential. The proposed redevelopment will provide year-round customer and employment base for the nearby commercial redevelopment along West Atlantic Avenue as well as new opportunities for businesses. The stability of the downtown area will be enhanced by the addition of the hotel Residential-type Inn guests that will patronize area businesses and contribute to the long term revitalization of this redevelopment area together with employment base of the commercial uses.

REVIEW BY OTHERS

The development proposal is located in an area which requires review by the WARC (West Atlantic Redevelopment Coalition), the CRA (Community Redevelopment Agency), and the DDA (Downtown Development Authority).

Community Redevelopment Agency (CRA)

At its meeting of April 13, 2017, the CRA reviewed the revised development proposal and there was no consensus regarding the project.

Downtown Development Authority (DDA)

DDA reviewed the proposal and recommended approval.

West Atlantic Redevelopment Coalition (WARC)

At its meeting of June 15, 2017, the WARC considered the development proposal and the consensus was to support the project.

Courtesy Notice:

Courtesy notices have been provided to the following homeowner's associations, which have requested notice of developments in their areas:

- Chamber of Commerce
- Southwest Neighborhood

Any letters of support or objection will be presented at the Historic Preservation Board meeting.

ASSESSMENT AND CONCLUSION

The mixed-use development will further enhance the vibrancy of the historic district, the downtown area and the continued redevelopment of the Atlantic Avenue area. The proposed uses are consistent with the policies of the Comprehensive Plan and Chapter 3 of the Land Development Regulations. Positive findings can be made with respect to Section 2.4.5(F)(5) and 2.4.6(H)(5) regarding compatibility of the proposed development with surrounding properties. Positive findings can be made with respect to compliance with the Land Development Regulations provided the conditions of approval are addressed.

ALTERNATIVE ACTIONS

- A. Postpone with direction.
- B. Move approval of COA 2016-073-SPM-HPB-CL-5, associated waiver, Class V site plan, landscape plan, design elements for **Swinton Commons**, 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 Chapter 3, Section 2.4.5(F)(5), 2.4.6(H)(5), 2.4.5(H)(5), 2.4.5(I)(5), and Section 2.4.7(B)(5) of the Land Development Regulations and Comprehensive Plan, subject to conditions of approval.
- C. Move denial of COA 2016-073-SPM-HPB-CL-5, associated Class V site plan modification, landscape plan, design elements, and waivers for **Swinton Commons**, 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 Chapter 3, Section 2.4.5(F)(5), 2.4.6(H)(5), 2.4.5(H)(5), 2.4.5(I)(5), and Section 2.4.7(B)(5) of the Land Development Regulations and Comprehensive Plan.

STAFF RECOMMENDATION

By Separate Motions:

Waiver:

Recommend approval to the City Commission of the waiver to LDR Section 4.4.24(F)(4), the maximum width of a building fronting a street shall be limited to 60' and shall have a minimum separation of 15' between buildings fronting a street in a development site that contains more than one structure. The two Residential-type Inn buildings along SW 1st Avenue, the Inn building along Swinton Avenue (building #3), and the Inn building at the southeast corner of Swinton Avenue and SE 1st Street exceed the 60-foot maximum, based on a positive finding with respect to LDR Section 2.4.7(B)(5).

Site Plan Modification:

Approve COA 2016-073-SPM-HPB-CL5 and associated Class V site plan for **Swinton Commons**, 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 Chapter 3, Section 2.4.5(F)(5), and Section 2.4.6(H)(5) of the Land Development Regulations and Comprehensive Plan, subject to the following conditions of approval.

1. That the locations of the generators are provided on the plans together with the source of fuel prior to certification of the site plan.
2. That the discrepancies exist between the architectural elevations and floor plans related to fenestration pattern, building articulation, and balcony location be resolved prior to certification of the site plan.
3. That the proposed landscaping in the front setback areas be redesigned to terrace the slope to prevent run off on the sidewalk and erosion prior to certification of the site plan.

Landscape Plan:

Approve COA 2016-073-SPM-HPB-CL5 and associated landscape plan for **Swinton Commons**, based on positive findings with respect to LDR Section 4.6.16 and Section 2.4.5(H)(5), subject to the condition that a payment of \$305,100 to the Delray Beach Tree Trust Fund for remediation of the trees to be removed.

Elevations:

Approve COA-2016-073-SPM-HPB-CL5 and associated design elements for **Swinton Commons**, based on positive findings with respect to LDR Section 4.6.18 and Section 2.4.5(I)(5).

Relocations:

Exhibit 1

Move approval of COA 2016-069 (Rectory, Building 'A'), 14 S. South Swinton for the relocation of the contributing structure on the property located at 20 W Atlantic Avenue, Block 61 to the property located at further south on Block 61 fronting on South Swinton Avenue (address to be

determined) OSSHAD by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Exhibit 2

Move approval of COA 2016-070 (Rectory, Building 'B') for the relocation of the contributing structure on the property located at 20 W Atlantic Avenue, OSSHAD to the property located at southwest section of Block 70 (address to be determined) OSSHAD by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Exhibit 3

Move approval of COA 2016-071 (Building 'C') for the relocation of the contributing structure on the property located at 22 South Swinton Avenue, OSSHAD to the property located at north section of Block 70 (address to be determined) OSSHAD by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Exhibit 4

Move approval of COA 2016-072 (Building 'D') for the relocation of the contributing structure on the property located at 21 SW 1st Avenue, OSSHAD to the property located at southwest section of the Sundry Block (address to be determined) OSSHAD by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Exhibit 5

Move approval of COA 2016-063 (Building 'E'), a.k.a. Cathcart House for the relocation of the contributing structure on the property located at 38 South Swinton Avenue, OSSHAD to the property located approximately 20 feet south of its existing location on Block 61 (address to be determined) OSSHAD by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Exhibit 6

Move approval of COA 2016-060 (Building 'F'), a.k.a. Peach House for the relocation of the contributing structure on the property located at 40 South Swinton Avenue, OSSHAD to property located on the Sundry Block, OSSHAD (address to be determined) by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Exhibit 7

Move approval of COA 2016-061 (Building 'G'), a.k.a. Yellow House for the relocation of the contributing structure on the property located at 44 South Swinton Avenue, OSSHAD to property located south central on the Sundry Block, OSSHAD (address to be determined) by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Exhibit 8

Move approval of COA 2016-057 (Building 'H'), a.k.a. White House for the demolition/relocation/reconstruction of the contributing structure on the property located at 10 SE 1st Street on Block 70 to same property located slightly north of its current site on Block 70 facing SE 1st Street., OSSHAD (address likely to be the same) by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Demolitions:

Exhibit 9

Move approval of COA 2016-064 (Building 'E-1') for the demolition of a contributing structure located at 38½ South Swinton Avenue, 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 LDR Sections 4.5.1 (E)(5) and 4.5.1(F), Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Exhibit 10

Move approval of the COA 2016-061 (Building 'G-ACC') for the demolition of a (contributing structure/accessory structure secondary building to Building 'G' a contributing structure) located at 44½ South Swinton Avenue, 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 LDR Sections 4.5.1 (E)(5) and 4.5.1(F).

Exhibit 11

Move approval of the COA 2016-065 (Building 'T') for the demolition of a non-contributing structure located at 52 W. Atlantic Avenue 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 LDR Sections 4.5.1 (E)(5) and 4.5.1(F), Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Exhibit 12

Move approval of the COA 2016-068 (Building 'U') built in 2001 for the demolition of a non-contributing structure located at 20 W Atlantic Avenue, 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 LDR Sections 4.5.1 (E)(5) and 4.5.1(F), Comprehensive Plan and meets the

criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Exhibit 13

Move approval of the COA 2016-058 (Building 'V') for the demolition of a contributing structure/accessory structure located at 35½ SW 1st Avenue, 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 LDR Sections 4.5.1 (E)(5) and 4.5.1(F), Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Exhibit 14

Move approval of the COA 2016-062 (Building "W") for the demolition of a contributing structure located at 14 SE 1st Street, 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 LDR Sections 4.5.1 (E)(5) and 4.5.1(F), Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Exhibit 15

Move approval of the COA 2016-066 (Building 'X') for the demolition of a contributing building that has lost its character defining features of its Mission Revival style located at 18 SE 1st St, 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 LDR Sections 4.5.1 (E)(5) and 4.5.1(F), Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Exhibit 16

Move approval of the COA 2016-067 (Building 'Y') for the demolition of a contributing structure/accessory structure located at 18½ SE 1st Street, 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 LDR Sections 4.5.1 (E)(5) and 4.5.1(F), Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Exhibit 17

Move approval of the COA 2016-059 (Building 'Z') for the demolition of a contributing structure located at 48 SE 1st Avenue, 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 LDR Sections 4.5.1 (E)(5) and 4.5.1(F), Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, and the Secretary of the Interior's Standards for Rehabilitation.

Attachments:

- Appendix A
- Appendix B
- Site Plan
- Architectural Elevations
- Landscape Plan
- Exhibit 1 (14 South Swinton Avenue – Relocation)
- Exhibit 2 (20 West Atlantic Avenue – Relocation)
- Exhibit 3 (22 South Swinton Avenue – Relocation)
- Exhibit 4 (21 SW 1st Avenue – Relocation)
- Exhibit 5 (38 South Swinton Avenue – Relocation)
- Exhibit 6 (40 South Swinton Avenue – Relocation)
- Exhibit 7 (44 South Swinton Avenue – Relocation)
- Exhibit 8 (10 SE 1st Street – Relocation)
- Exhibit 9 (38 ½ South Swinton Avenue – Demolition)
- Exhibit 10 (44 South Swinton Avenue – Demolition)
- Exhibit 11 (52 West Atlantic Avenue – Demolition)
- Exhibit 12 (20 West Atlantic Avenue – Demolition)
- Exhibit 13 (35 ½ SW 1st Avenue – Demolition)
- Exhibit 14 (14 SE 1st Street – Demolition)
- Exhibit 15 (18 SE 1st Street – Demolition)
- Exhibit 16 (18 ½ SE 1st Street – Demolition)
- Exhibit 17 (48 SE 1st Avenue – Demolition)

Report prepared by: Scott D. Pape, AICP, Principal Planner

APPENDIX A CONCURRENCY FINDINGS

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

With respect to water and sewer service, the following is noted:

- Water service will be available to the site via lateral connection to a proposed 18" main along SW 1st Avenue.
- Sewer service exists to the site via an 8" sewer main located along Swinton Avenue.

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 these levels of service standards.

Streets and Traffic:

The subject property is located in the City's TCEA (Traffic Concurrency Exception Area), which encompasses the CBD, CBD-RC, and OSSHAD zoning districts, as well as the West Atlantic Avenue corridor. The TCEA was established in December, 1995 to aid in the revitalization of downtown, with a purpose of reducing the adverse impacts of transportation concurrency requirements on urban infill development and redevelopment. These revitalization efforts are achieved by exempting development within the TCEA from the requirements of traffic concurrency. The project will generate 3,868 average daily trips, 128 a.m. peak trips, and 321 p.m. peak trips. Therefore, a positive finding can be made with respect to traffic concurrency.

Parks and Recreation Facilities:

The 109-room hotel will not have a significant impact with respect to level of service standards for parks and recreation facilities. However, pursuant to LDR Section 5.3.2(C), Impact Fee Required, whenever a development is proposed upon land which is not designated for park purposes in the Comprehensive Plan, a impact fee of \$500.00 per dwelling unit (including hotel rooms) will be collected prior to issuance of building permits for each unit. Thus, an impact fee of \$54,500 will be required of this development.

Solid Waste:

Trash generated each year by the mixed use project is 664 tons. The Solid Waste Authority has indicated that its facilities have sufficient capacity to handle all development proposals until the year 2048, thus a positive finding with respect to this level of service standard can be made.

Drainage:

Preliminary drainage plans were submitted which indicate that drainage will be accommodated via sheet flow to culverts that will direct storm water to exfiltration trenches. Based on the above, positive findings with respect to this level of service standard can be made.

School Concurrency:

A finding of concurrency is not required for the proposed development.

APPENDIX B STANDARDS FOR SITE PLAN ACTIONS

- A. Building design, landscaping, and lighting (glare) shall be such that they do not create unwarranted distractions or blockage of visibility as it pertains to traffic circulation.**

Not applicable _____
Meets intent of standard X
Does not meet intent _____

- B. Separation of different forms of transportation shall be encouraged. This includes pedestrians, bicyclists, and vehicles in a manner consistent with policies found under Objectives D-1 and D-2 of the Transportation Element.**

Not applicable _____
Meets intent of standard X
Does not meet intent _____

- C. Open space enhancements as described in Policies found under Objective B-1 of the Open Space and Recreation Element are appropriately addressed.**

Not applicable X
Meets intent of standard _____
Does not meet intent _____

- D. The City shall evaluate the effect that any street widening or traffic circulation modification may have upon an existing neighborhood. If it is determined that the widening or modification will be detrimental and result in a degradation of the neighborhood, the project shall not be permitted.**

Not applicable _____
Meets intent of standard X
Does not meet intent _____

- E. Development of vacant land which is zoned for residential purposes shall be planned in a manner which is consistent with adjacent development regardless of zoning designations.**

Not applicable X
Meets intent of standard _____
Does not meet intent _____

- F. Property shall be developed or redeveloped in a manner so that the future use and intensity are appropriate in terms of soil, topographic, and other applicable physical considerations; complementary to adjacent land uses; and fulfills remaining land use needs.**

Not applicable _____
Meets intent of standard X (Subject to Conditions of approval)
Does not meet intent _____

- Not applicable X
Meets intent of standard _____
Does not meet intent _____

- Not applicable _____
 Meets intent of standard **X (Subject to Conditions of approval)**
 Does not meet intent _____

- | | |
|--------------------------|-------------------|
| Not applicable | <u> </u> |
| Meets intent of standard | <u> X </u> |
| Does not meet intent | |

- Not applicable X
Meets intent of standard
Does not meet intent