



Planning & Zoning Department

BOARD ACTION REPORT – APPEALABLE ITEM

Project Name: 405 North
Project Location: 405 SE 6th Avenue
Request: Class V Site Plan, Landscape Plan, Architectural Elevations, Terminal Landscape Island Waiver and Perimeter Landscape Buffer Waiver.

Board: Site Plan Review and Appearance Board
Meeting Date: July 5, 2016

Board Action:

Denied the Class V Site Plan (0-6); Denied the Landscape Plan (0-6); Denied the Perimeter Landscape Buffer Waiver (1-5; Vlad Dumitrescu, Roger Cope, Jim Knight, Andrew Younggross and Jose Aguila, dissenting); Denied the Terminal Landscape Island Waiver (3-3; Roger Cope, Andrew Younggross and Jose Aguila, dissenting), Approved the Architectural Elevations (5-1; Andrew Younggross, dissenting).

Project Description:

The site consists of 0.14 Acres (6,100 sq. ft.) and currently contains a one-story 720 sq. ft. office building constructed in 1950. The site is legally described as Osceola Park north 50 feet of south 73 feet of west 127.6 feet of Lot 9 (less west 5 feet US Highway 1 right-of-way) Block 1 as indicated in the Official Record Books of Palm Beach County.

On June 8, 2016, the Site Plan Review and Appearance Board considered a Class V Site Plan, Landscape Plan, Architectural Elevations, Terminal Landscape Island Waiver and Perimeter Landscape Buffer Waiver associated with demolition of an existing one-story office building and construction of a new two-story office building with associated parking. Both waiver requests, the site plan and the landscape plan were denied. The architectural elevations were approved, as presented.

Staff indicated that a dimensioned detail for the proposed 5' high perimeter fence was not included and that the proposed material and design of the fence is required prior to site plan certification. Staff also noted that all plan sheets must reflect the location of the abutting parcel boundary lines for the residential parcel on the north and east sides for reference purposes. Staff had no other concerns and supported the two waivers, site plan, landscape plan and architectural elevations.

Board comments:

The Board did not support the waivers or the development proposal (other than the architectural elevations) and expressed significant concern regarding the impact to the adjacent single family residence abutting the property on the north and east sides.

The Board denied the Class V Site Plan (0-6); Denied the Landscape Plan (0-6); Denied the Perimeter Landscape Buffer Waiver (1-5; Vlad Dumitrescu, Roger Cope, Jim Knight, Andrew Younggross and Jose Aguila, dissenting); Denied the Terminal Landscape Island Waiver (3-3; Roger Cope, Andrew Younggross and Jose Aguila, dissenting), Approved the Architectural Elevations (5-1; Andrew Younggross, dissenting).

Appealable Item Report

Public input – noting comments and concerns:

One member of the public (Alice Finst) spoke in opposition to the naming of the development proposal, referencing that while the project is located on South Federal Highway, the name is indicated as “405 North”.

Associated Actions: On June 16, 2016, the applicant appealed the decision of the SPRAB to the City Clerk’s office. This appeal is anticipated to be heard by the City Commission at their meeting of July 5, 2016.

Next Action: None.

SITE PLAN REVIEW AND APPEARANCE BOARD

CITY OF DELRAY BEACH

---STAFF REPORT---

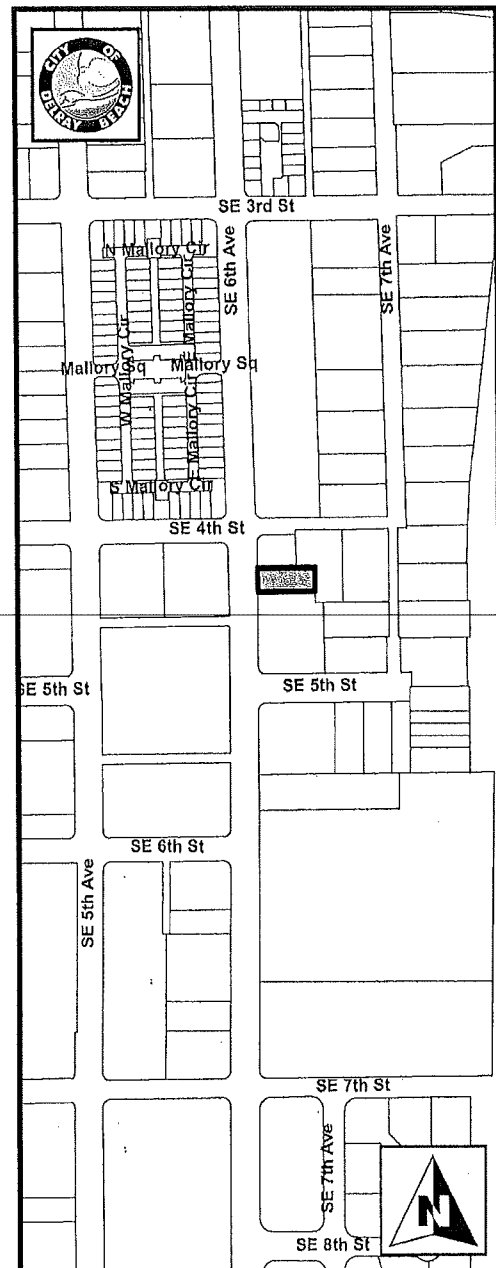
MEETING DATE: June 8, 2016

ITEM: 405 North – Class V Site Plan, Landscape Plan and Architectural Elevations associated with demolition of an existing one-story office building and construction of a new two-story office building with associated parking.

RECOMMENDATION: Approve the Class V Site Plan, Landscape Plan, Architectural Elevations and associated Waiver Requests.

GENERAL DATA:

Applicant/Owner.....	Albanese Home Builder Inc.
Agent.....	Miklos Architecture
Address.....	405 SE 6 th Avenue
Location.....	On the east side of SE 6 th Avenue, south of SE 4 th Street
Property Size.....	0.14 Acres (6,100 sq. ft.)
Existing FLUM.....	GC (General Commercial)
Proposed FLUM.....	No Change
Current Zoning.....	GC (General Commercial)
Proposed Zoning.....	No Change
Adjacent Zoning.....North:	GC (General Commercial) & R-1-AA (Single Family Residential)
	West: GC (General Commercial)
	South: GC (General Commercial)
	East: R-1-AA (Single Family Residential)
Existing Land Use.....	One-Story Office Building
Proposed Land Use.....	Two-Story Office Building
Water Service.....	Existing On-Site
Sewer Service.....	Existing On-Site



ITEM BEFORE THE BOARD

The item before the Board is the approval of the following aspects of a Class V Site Plan request for **405 North**, pursuant to Land Development Regulations (LDR) Section 2.4.5(F):

- ☐ Site Plan;
- ☐ Landscape Plan;
- ☐ Architectural Elevations; and,
- ☐ Waiver Requests

The subject site is located on the east side of SE 6th Avenue, south of SE 4th Street.

BACKGROUND ANALYSIS

The site consists of 0.14 Acres (6,100 sq. ft.) and currently contains a one-story 720 sq. ft. office building constructed in 1950. The site is legally described as Osceola Park north 50 feet of south 73 feet of west 127.6 feet of Lot 9 (less west 5 feet US Highway 1 right-of-way) Block 1 as indicated in the Official Record Books of Palm Beach County.

Now before the Board for consideration is approval of a Class V Site Plan, Landscape Plan, Architectural Elevations, and waivers associated with demolition of an existing one-story office building and construction of a new two-story office building with associated parking.

PROJECT DESCRIPTION

The development proposal consists of the following:

- ☐ Construction of a 2,584 gross sq.ft. 2-story office building (1,975 sq.ft. net floor area)
- ☐ Construction of an 8-space parking lot
- ☐ Installation of a bicycle rack
- ☐ Installation of associated interior and perimeter landscaping

The Class V Site Plan application also includes two waiver requests as follows:

- ☐ A waiver to LDR Section 4.6.16(H)(3)(i), whereas nine foot terminal landscape islands are required and a 2'0" landscape island is proposed for a 2-space parking row adjacent to the west side of the building.
- ☐ A waiver to LDR Section 4.6.16(H)(3)(a), whereas a minimum 5'0" perimeter buffer is required adjacent to vehicular use areas and a 2'4" buffer is proposed on east perimeter and a 1'0" proposed on north perimeter.

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.

Please note the Land Development Regulations (LDR) Section 4.3.4(K) - *Development Standards Matrix* for Non-Residential Zoning Districts which apply to **General Commercial (GC)** zoning districts:

GC	Min. Lot Size (acres)	Min. Lot Width (ft.)	Min. Lot Depth (ft.)	Min. Lot Frontage (ft.)	Min. Open Space (%)	Min. Front Setback (ft.) Min/Max	Min. Side Interior Setback (ft.) - S	Min.* Side Interior Setback (ft.) - N	Min. Rear Setback (ft.)	Max. Bldg. Height (ft.)	Min. Buffer (ft.)
Required	0	0	0	0	25	10	10	0	10	48	10**
Provided	0.14	50	122.6	50	25.6	29'2"	10	3	23'5½"	29'1"	10'1½"

All items are in compliance with applicable sections of the Land Development Regulations.

*For interior lots, when there is no dedicated access to the rear of any structure, a ten foot (10') side interior setback is required on one (1) side only [LDR Section 4.4.9.F.1].

**If the front faces the roadway and no parking or vehicular circulation areas are proposed between the building and the right-of-way, then the ten foot (10') landscape buffer is not required.

LDR Article 4.6 – Supplemental District Regulations:

Lighting:

Pursuant to LDR Section 4.6.8, site lighting limited to a maximum height of 25' must be provided on-site and be consistent with the illumination level requirements included in Section 4.6.8. These criteria require a maximum foot candle level of 12.0 and a minimum foot candle level of 1.0 for the entire site. The photometric plan submitted has a maximum foot candle level of 10.4 and a minimum foot candle level of 1.0 interior to the site. The property is adjacent to a single family residence on two sides. Thus, the spillage just outside the property boundary must be no greater than 0.25 foot candles. The maximum spillage point calculation is 0.1. Thus, the spillage does not exceed the maximum 0.25 foot candle allowance. Therefore, this standard is met.

Parking:

Pursuant to LDR Section 4.6.9(C)(4)(a), business and professional offices shall provide 4 spaces per 1,000 sq. ft. of net floor area up to 3,000 sq. ft. and then 3.5 spaces per 1,000 sq. ft. of net floor area over the initial 3,000 sq. ft. For the proposed 1,975 sq. ft. of net floor area, 8 parking spaces are required and 8 spaces are provided. Therefore, this standard is met.

Bicycle Parking:

LDR Section 4.6.9(C)(1)(c) and Transportation Element Policy D-2.2 of the Comprehensive Plan recommend that a bicycle parking facility be provided. One bike rack is proposed. Thus, this LDR requirement has been met.

Handicap Accessible Parking:

Pursuant to LDR Section 4.6.9(C)(1)(b), special parking spaces designed for use by the handicapped shall be provided pursuant to the provisions of Florida Accessibility Code for Building Construction. Pursuant to the Florida Accessibility Code for Building Construction, for lots with 1 to 25 spaces, at least one handicap space is required. The development provides a minimum of one handicap accessible parking space. Thus, this LDR requirement has been met.

Stacking Distance:

Pursuant to LDR Section 4.6.9(D)(3)(c)(1), provisions must be made for stacking and transitioning of incoming traffic from a public street, such that traffic may not backup into the public street system. The minimum distance between a right-of-way and first parking space or aisle way in a parking lot that contains 1 - 20 spaces is five feet. At the accessway to the site off of US1, the stacking distance provided is 10'1½". Thus, this standard is met.

Adjacent Residential-Zoning Buffers:

Pursuant to LDR Section 4.6.4(A)(2)(a), commercially zoned properties shall provide adequate buffering to adjacent residentially zoned parcels. Since the subject property is bordered by residential zoning to the north and east without any division or separation between them, such as a street, alley, railroad, waterway, park, or other public open space, a minimum ten foot (10') building setback from the property line and either a solid finished masonry wall six feet (6') in height or a continuous hedge at least four and a half feet (4½') in height at the time of installation must be provided within the property boundaries of the commercially zoned parcel.

As such, along the north and east parcel boundary lines, a 4.5' Green Buttonwood hedge is provided to satisfy this requirement. In addition, a 5' high fence is proposed. A detail shall be provided within the proposed plan set graphically illustrating the dimensions, proposed material and design of the 5' fence. This is a condition of approval.

In order to accurately access the proper location for the required minimum ten foot (10') perimeter setback along the north and east property lines, the adjacent parcel boundary lines must be clearly indicated on the plans for the abutting residential property. As a condition of approval, the location of the abutting parcel boundary lines for the residential parcel on the north and east sides shall extend no more than ten feet (10') from the commercial property for reference purposes only.

Upon provision of the requested details, these buffering standards can be better assessed and positively demonstrated as met or deemed adequate for the commercial property.

Undergrounding of Utilities:

Pursuant to LDR Section 6.1.8, utility facilities serving the development shall be located underground throughout the development. A note to this effect has been placed on the site plan, and thus, this LDR requirement has been met.

Site Plan Technical Items: While revised plans have accommodated most of staff's concerns, the following items remain outstanding and will need to be addressed prior to site plan certification.

1. Within the plan set, provide a dimensioned detail of the proposed 5' high fence on the north and east perimeter. Include dimensions, color and material.
2. On all plan sheets, the location of the abutting parcel boundary lines for the residential parcel on the north and east sides must be graphically demonstrated and extend no more than ten feet (10') from the commercial property for reference purposes.
3. Since US1 is under the jurisdiction of FDOT, written confirmation of FDOT shall approve the proposed curb cut.

LANDSCAPE ANALYSIS

The City's Senior Landscape Planner has reviewed the proposed landscape plan and found that it complies with LDR Section 4.6.16. This urban site contains fifteen (15) existing trees. All Sabal Palms (11) will be relocated on-site. One (1) Areca Palm will be retained in place. One (1) invasive Carrot Wood tree will be removed. One (1) Oak tree will be removed. This tree was inspected by the Senior Landscape Planner/Certified Arborist and determined to be in poor condition due to several factors including codominant leaders with a large aspect ratio, which means that its trunk extended above the crown of the tree into several directions with branches containing a diameter larger than 30% of the trunk base. Staff, therefore supports the decision to remove this tree. One (1) Areca Palm will also be removed. The Landscape Architect is proposing to install seven (7) different varieties of trees and palms along with five (5) different varieties of shrubs, groundcovers, and accent plants. In addition, the 4.5' Green Buttonwood hedge along the north and east parcel boundaries abutting the adjacent residential zoned property meets buffering height requirements.

WAIVER ANALYSIS

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.

Terminal Landscape Islands

Pursuant to LDR Section 4.6.16(H)(3)(i), nine foot terminal landscape islands are required and a 2'0" terminal landscape island is proposed adjacent to the building on the west side for the 2-space parking row.

The applicant has provided the following verbatim justification statement regarding the waiver request:

"Landscaping has been provided in this area as per the supplied landscape documents."

For the 2-space parking row, the 2' landscape island is proposed interior to the property. Given that this area is not visible from the public right-of-way and is in a covered open-air parking garage, the impact will be minimal. While this is less than the required 9' terminal

landscape island, no adverse impact is anticipated. Alexander Palms are being provided in the 2' landscape island. To account for the shade tree that is required to be provided in this island, several Royal Palm canopy trees are being provided in the northwest corner of the site along the US1 frontage. The site is limited due to the 50' frontage of the parcel. In conclusion, granting of the requested waiver will not diminish the provision of public facilities or result in the grant of a special privilege. Consequently, a positive finding with respect to LDR Section 2.4.7(B)(5) can be made.

Perimeter Landscape Buffer

Pursuant to LDR Section 4.6.16(H)(3)(a), a landscape barrier shall be located between the common lot line and the off-street parking area or other vehicular use area in a planting strip of not less than five foot (5') in width. A 1'0" planting strip is proposed on the north perimeter and a 2'4" planting strip is proposed on the east perimeter.

The applicant has provided the following verbatim justification statement regarding the waiver request:

"To compensate for the project's non-compliance with respect to this LDR requirement, the applicant has proposed and implemented items that exceed the prevailing code requirements. On the east property line, 3 trees are required and 10 Sabal Palms have been relocated and 2 Buttonwoods provided. The code requires a perimeter hedge at a 2' minimum and a 3.5' to 4' perimeter hedge has been provided. In total, 8 additional trees have been provided that exceed minimum code requirements."

Pursuant to LDR Section 4.6.16(H)(3)(d), a landscaped barrier shall be provided between the off-street parking area or other vehicular use area and abutting property in a planting strip of not less than 5' in width. The reduced landscape buffers are adjacent to the single family residential property. However, a 5' high fence and a 4.5' Green Buttonwood hedge will separate the two properties. The vehicular uses will further be bordered by concrete wheel stops or curbing to prevent protrusion onto the adjacent property.

Either in addition to, or in place of the proposed 5' fence, per to LDR Section 4.6.4(A)(2)(a), both a 10' building setback and either a 4.5' hedge or 6' masonry wall are required as a physical barrier along the north and east property lines, abutting the adjacent residentially zoned parcel. It is noted that a 4.5' hedge meets this requirement. However, replacement of the 5' fence with a 6' masonry wall might be a more effective buffer for the adjacent residentially zoned parcel. The Board has the authority to determine whether adequate buffer is provided and offer additional measures to mitigate negative impacts, as deemed necessary and appropriate. Staff leaves this determination at the Board's discretion.

Given that there are only 8-spaces proposed, no adverse impact is anticipated. Therefore, the provision of reduced landscape strips will not affect the neighboring areas or create an unsafe situation, when the condition of approval regarding the 10' building setback and 4.5' hedge or 6' wall are addressed. Granting of the requested waiver will not diminish the provision of public facilities or result in the grant of a special privilege. Consequently, positive findings can be made with respect to LDR Section 2.4.7(B)(5), provided that the buffering is deemed adequate by the Board.

ARCHITECTURAL ELEVATIONS ANALYSIS

LDR Section 4.6.18(E) – Criteria for Board Action: The following criteria shall be considered, by the Site Plan Review and Appearance Board (SPRAB), in the review of plans for building permits. If the following criteria are not met, the application shall be disapproved:

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

The architectural elements for the proposed two-story office building include a sand rubbed stucco finish. The proposed colors include "Pure White" and "Gauntlet Gray". The window and door frames will consist of Bronze Aluminum frames and impact resistant glass. The railings will also be Bronze Aluminium.

All proposed architectural elevations will be compatible and harmonious with the surrounding properties and an enhancement to the area. Based upon the above, positive findings can be made with regard to the criteria listed in LDR Section 4.6.18 (E).

REQUIRED FINDINGS

Pursuant to LDR Section 3.1.1, 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 following areas:

LDR Section 3.1.1(A) - Future Land Use Map:

The subject property has a zoning designation of General Commercial (GC) and a General Commercial (GC) Future Land Use Map designation which are compatible. Pursuant to LDR Section 4.4.9(B)(2), business, professional and medical offices area allowed principal uses and structures within the GC zoning district. Based upon the above, a positive finding can be made with respect to consistency with the Future Land Use Map (FLUM).

LDR Section 3.1.1(B) - Concurrency:

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

LDR Section 3.1.1(C) - Consistency:

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

LDR 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 LDR can be made when all outstanding items attached as conditions of approval are addressed.

Required Findings:

Pursuant to LDR Section 2.4.5(F) (5), 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 following table indicates the adjacent zoning and land use to the subject property:

	<i>Adjacent Zoning</i>	<i>Adjacent Land Use</i>
<i>North</i>	GC (General Commercial) & R-1-AA (Single Family Residential)	Mixed-Use Building (Office/Residential) & Delray Cottages (Single Family Residence)
<i>South</i>	GC (General Commercial)	Gasoline Station
<i>West</i>	GC (General Commercial)	Vacant/Undeveloped Land (Approved Ligotti Medical Office)
<i>East</i>	R-1-AA (Single Family Residential)	Delray Cottages (Single Family Residence)

The proposed 405 North will provide a viable resource to the existing infrastructure of the North Federal Highway Corridor. With existing establishments that vary to the north, south, east and west sides of the site, it will be compatible with its surrounding land uses. Future establishment of a business and professional office at this location will potentially increase property values of adjacent properties. Further, the development of the property as business and professional offices will benefit not only the nearby community, but the City as a whole. The single family residence abutting the property to the north and east, will be buffered a 5' high fence and 4.5' Green Buttonwood hedge. Light spillage is demonstrated to fall below the 0.25 foot candle maximum a 0.1 foot candles. The future Ligotti Medical Office to the west is across the US1 right-of-way and a compatible use. It will not suffer any negative effects from the proposed 405 North development. The existing commercial uses to the north and south will be compatible with the proposed business and professional offices. Pursuant to LDR Section 4.6.4(A)(2)(a), a 10' building setback and 6' masonry wall or 4.5' high hedge must be provided along the north and east property lines adjacent to the R-1-AA zoned single family residence. Plans must clarify the exact location of the abutting residential parcel boundary line. Similarly, a 6' wall might provide more sufficient buffering than the proposed 4.5' hedge in combination with the 5' high fence. However, the Board has the authority to recommend additional buffering measures as deemed necessary and appropriate. Based upon the above, a positive finding can be made with regard to LDR Section 2.4.5(F)(5) that the site plan will be compatible and harmonious with adjacent and nearby properties, provided that the Board deems the proposed buffering for the abutting residentially zoned parcel adequate.

Comprehensive Plan Policies:

A review of the adopted Comprehensive Plan was conducted and the following applicable objectives and policies are 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 proposed two-story business and professional office building will be a physical and aesthetic improvement to the existing conditions. The proposed landscaping and building architecture will also add an aesthetic value to the site that is presently nonexistent. As a result, there will be significant physical and environmental improvements to the land. The proposed 405 North is deemed a compatible and appropriate use for this site, provided that the Board deems the proposed buffering for the abutting residentially zoned parcel adequate. Plans shall demonstrate the physical location of the abutting residential parcel line for reference and provide a detail of the proposed 5' high fence material, color and design within the proposed plan set. Upon provision of these additional measures, it can be demonstrated that no incompatibility issues exist. Therefore, a positive finding can be made with regard to Future Land Use Element Objective A-1, once the conditions of approval are addressed.

REVIEW BY OTHERS

Community Redevelopment Agency (CRA)

At its meeting of February 25, 2016, the CRA reviewed the proposed site plan for 405 North and recommended approval.

Courtesy Notices:

Courtesy notices have been provided to the following homeowner's associations and/or civic groups:

- Delray Citizens Coalition
- Barton Apartment
- Churchill
- Osceola Park
- Mallory Square
- Rio Del Rey Shores

Public Notices:

Public notice is not required. Letters of objection or support, if any, will be presented at the Site Plan Review and Appearance Board (SPRAB) meeting.

ASSESSMENT AND CONCLUSION

The development proposal is to construct a two-story 2,584 sq. ft. business and professional office building within one phase. The development proposal request two waivers for relief from the Land Development Regulations for terminal landscape island width and the perimeter landscape buffer. Along US1, FDOT must approve the proposed curb cut. To assure no negative affects to abutting residential property, point calculations just outside the property line

on the north and east sides must demonstrate compliance with the maximum 0.25 spillage requirements. Either in addition to, or in place of the proposed 5'0" fence, per to LDR Section 4.6.4(A)(2)(a), both a 10' building setback and either a 4.5' hedge or 6' masonry wall are required as a physical barrier along the north and east property lines, abutting the adjacent residentially zoned parcel. A 4.5' hedge is provided to meet this requirement. However, a 6' masonry wall might provide a more effective buffer. Also, plans must demonstrate the parcel boundary lines for the abutting residential parcel on the north and east sides. The Board has the authority to assess whether the proposed buffering for the abutting residentially zoned parcel is adequate. The proposed development will be consistent with required findings under Chapter Three and Section 2.4.5(F)(5) of the Land Development Regulations, as well as, the Objectives and Policies of the Comprehensive Plan, provided that the conditions of approval provided herein are addressed.

ALTERNATIVE ACTIONS

- A. Move **postponement** of the Waiver Requests, Class V Site Plan, Landscape Plan and Architectural Elevations for 405 North, by electing to continue with direction.
- B. Move **approval** of the Waiver Requests, Class V Site Plan, Landscape Plan and Architectural Elevations for 405 North, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets the criteria set forth in Sections 2.4.5(F)(5), 2.4.7(B)(5), 4.6.16, 4.6.18(E) and Chapter 3 of the Land Development Regulations, subject to the attached conditions of approval.
- C. Move **denial** of the Waiver Requests, Class V Site Plan, Landscape Plan and Architectural Elevations for 405 North, by adopting the findings of fact and law contained in the staff report, and finding that the request is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in Sections 2.4.5(F)(5), 2.4.7(B)(5), 4.6.16, 4.6.18(E) and Chapter 3 of the Land Development Regulations.

STAFF RECOMMENDATION

By Separate Motions:

Terminal Landscape Island Waiver:

Move **approval** of the request for waiver to LDR Section 4.6.16(H)(3)(i), to reduce the requirement for a minimum 9' terminal landscape island to 2' adjacent to the 2-space parking row on the west side of the building, 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 criteria set forth in Section 2.4.7(B)(5) of the Land Development Regulations.

Perimeter Landscape Buffer Waiver:

Move **approval** of the request for waiver to LDR Section 4.6.16(H)(3)(a) to reduce the perimeter landscape strip from 5' to 1' on the north perimeter and 2'4" on the east perimeter, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.7(B)(5) of the Land Development Regulations.

Move **approval** of the Class V Site Plan for 405 North, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets the criteria set forth in Section 2.4.5(F)(5) and Chapter Three of the Land Development Regulations, subject to the following conditions:

1. Within the plan set, provide a dimensioned detail of the proposed 5' high fence on the north and east perimeter. Include dimensions, color and material.
2. On all plan sheets, the location of the abutting parcel boundary lines for the residential parcel on the north and east sides must be graphically demonstrated and extend no more than ten feet (10') from the commercial property for reference purposes.
3. Since US1 is under the jurisdiction of FDOT, written confirmation of FDOT shall approve the proposed curb cut.

Landscape Plan:

Move **approval** of the landscape plan for 405 North, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with Section 4.6.16 of the Land Development Regulations.

Architectural Elevations:

Move **approval** of the architectural elevations for 405 North, by adopting the findings of fact and law contained in the staff report, and finding that the request meets the criteria set forth in Section 4.6.18(E) of the Land Development Regulations.

APPENDIX "A" CONCURRENCY FINDINGS

Pursuant to LDR 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:

The site is currently connected to water and sewer services. 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.

Streets and Traffic:

A traffic study has been provided for the development proposal indicating that the net increase in traffic is 60 new daily trips, 7 a.m. peak hour trips and 3 p.m. peak hour trips per day. The Palm Beach County Traffic Division has provided a traffic concurrency determination which confirms that build-out of this project will meet Palm Beach County Traffic Performance Standards through December 31, 2019. Thus, the development proposal meets the Traffic Performance Standards of Palm Beach County.

Parks and Recreation Facilities:

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

Solid Waste:

The existing 720 sq. ft. office building generates 1.94 tons of solid waste per year. The proposed 2,584 sq. ft. business and professional office building will generate 6.98 tons of solid waste per year. This results in a net increase of 5.04 tons of solid waste per year. The Solid Waste Authority has indicated that its facilities have sufficient capacity to accommodate all development proposals until 2047. Thus, this standard is met.

Schools:

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

Drainage:

Drainage will be accommodated on site via an exfiltration trench system. There should be no impact on drainage as it relates to this standard.

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
Does not meet intent _____

- G. Redevelopment and the development of new land shall result in the provision of a variety of housing types which shall continue to accommodate the diverse makeup of the City's demographic profile, and meet the housing needs identified in the Housing Element. This shall be accomplished through the implementation of policies under Objective B-2 of the Housing Element.**

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

- H. The City shall consider the effect that the proposal will have on the stability of nearby neighborhoods. Factors such as noise, odors, dust, traffic volumes and circulation patterns shall be reviewed in terms of their potential to negatively impact the safety, habitability and stability of residential areas. If it is determined that a proposed development will result in a degradation of any neighborhood, the project shall be modified accordingly or denied.**

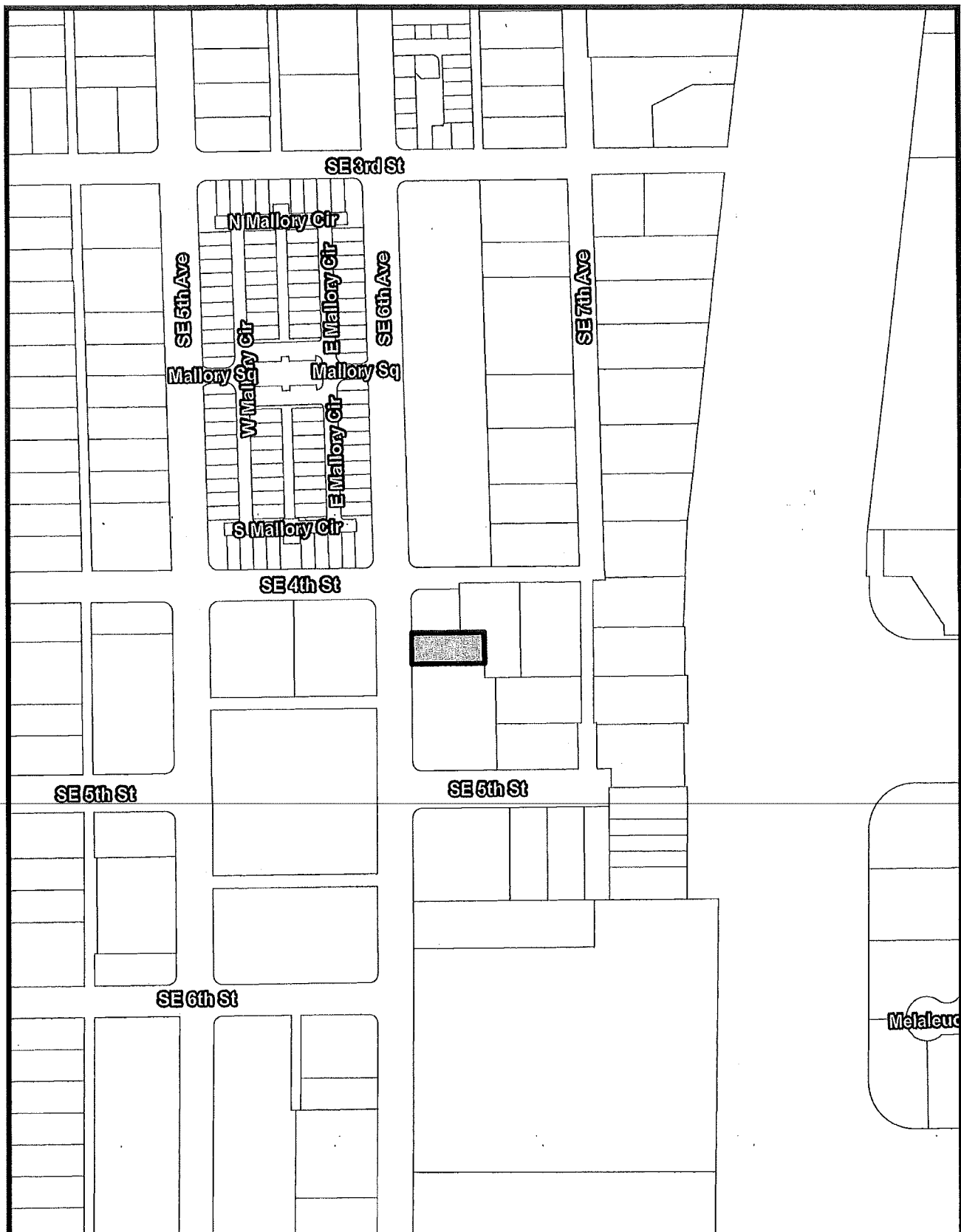
Not applicable _____
Meets intent of standard X
Does not meet intent _____

- I. Development shall not be approved if traffic associated with such development would create a new high accident location, or exacerbate an existing situation causing it to become a high accident location, without such development taking actions to remedy the accident situation.**

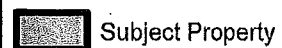
Not applicable _____
Meets intent of standard X
Does not meet intent _____

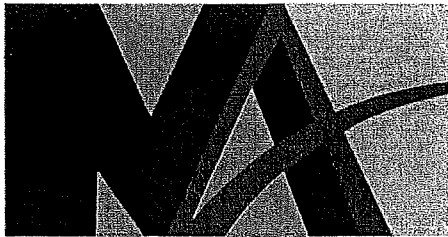
- J. Tot lots and recreational areas, serving children from toddler to teens, shall be a feature of all new housing developments as part of the design to accommodate households having a range of ages. This requirement may be waived or modified for residential developments located in the downtown area, and for infill projects having fewer than 25 units.**

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



405 NORTH
405 SE 6th Avenue
LOCATION MAP





MIKLOS ARCHITECTURE

Miklos Architecture
Architects / Planners
2263 NW Boca Raton Blvd. Suite 112
Boca Raton, FL 33431
Phone: (561) 392-6762
Corp. Cert. AA0002282
www.miklosarchitecture.com

Request for a waiver from LDR Section 4.6.16 (H)(3)(d) – Perimeter Requirements Adjacent to Public and Private Right of Ways is also contained within this Application.

The Applicant respectfully request relief / waiver from the afore mentioned LDR requirement (see attached). Due to the unique Site / Project characteristics and constraints, namely the 50'-0" parcel width and the 10'-0" side clear access requirement imposed by the Fire Department, maintaining a 5'-0" strip of land adjacent to the adjoining "GC" property and parking cannot be accommodated. A waiver from the required 5'-0" wide offset to the proposed 1'-0" wide offset is requested. To compensate for the Projects' non-compliance with respect to this LDR requirement, the Applicant has proposed and implemented the following items that exceed prevailing code requirements:

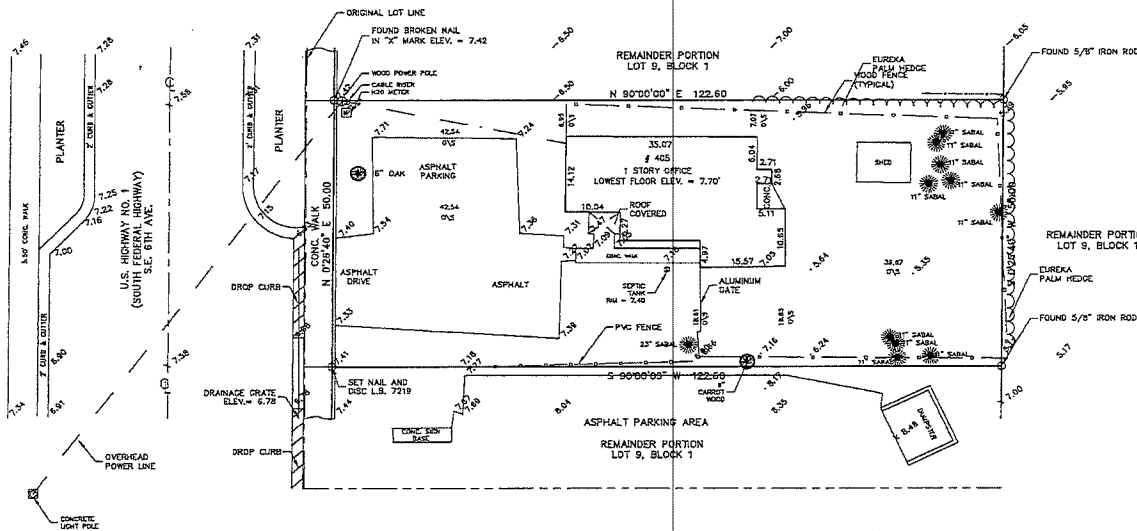
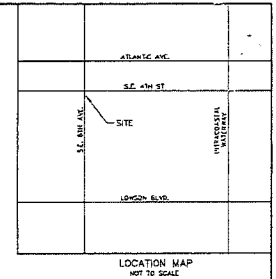
- a. West Property Line – (2) tree required; (2) Royal Palms and (1) Japanese Blueberry provided
- b. South Property Line - (4) trees required; (6) Palatka Holly and (2) Alexander Palms (18" triple) provided
- c. East Property Line – (3) trees required; (10) Sabal Palms relocated and (2) Silver Buttonwoods provided
- d. Code requires perimeter hedge a 24" min.; a 3.5' to 4' perimeter hedge has been provided

In total 8 additional trees have been provided that exceed minimum code requirements.

Request for a waiver from LDR Section 4.6.16 (H)(3)(i) 9' Terminal Landscape islands required at ends of each parking row.

The applicant is also requesting a waiver from the LDR Section 4.6.16(H)(3)(i) at the front of the building next to parking space number seven. We are providing a 2'-0" landscaped area at that location. Landscape has been provided in this space as per the supplied landscape documents.

BOUNDARY SURVEY



LEGAL DESCRIPTION:

THE NORTH 50.00 FEET OF THE SOUTH 73.00 FEET OF THE WEST 127.6 FEET OF LOT 9, BLOCK 1, OSCEOLA PARK, A SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGE 2 IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE WEST 5.0 FEET THEREOF FOR ROAD RIGHT-OF-WAY, CONTAINING 6,129 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES:

1. ALL BEARINGS OR ANGLES SHOWN HEREON ARE BASED ON THE RECORD PLAT UNLESS OTHERWISE NOTED.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENT OR RIGHTS-OF-WAY.
3. THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH IN CHAPTER 32-11 FLORIDA ADMINISTRATIVE CODE.
4. THIS SURVEY OF THE PROPERTY SHOWN HEREON IS IN ACCORDANCE WITH THE DESCRIPTION FURNISHED BY CLIENT.
5. REMARK AND DIPS WERE SET ON ALL CORNERS UNLESS OTHERWISE NOTED.
6. FIELD WORK COMPLETED ON 10-2-1989.
7. THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND EMBOSSED SEAL.
8. ELEVATIONS SHOWN HEREON ARE BASED ON N.G.V.D. OF 1929 UNLESS OTHERWISE NOTED.
9. BENCHMARK OF ORIGIN IS PALM BEACH COUNTY BENCHMARK NO. 10.
10. THIS SURVEY IS LOCATED IN FLOOD ZONE "X" PER N.F.I.P. COMMUNITY-PLANT MAP NO. 31052-10000 (REVISED) BASE FROM ELEVATION IS N.G.V.D. DATE OF FIRM IS 1-5-1989.
11. PROPERTY ADDRESS IS 255 S.E. 5TH AVE, DELRAY BEACH, FLA.

THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS OF THE FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO CHAPTER 462.05, F.S. NO. 10. THE PROPERTY DESCRIBED HEREON HAS NOT BEEN ABSTRACTED TO REFLECT ANY DISBURSEMENTS BROKEN BY THE UNDERSIGNED AND/OR PAUL A. DAVIS, INC.

DATE: 10-2-1989

CERTIFICATE: I HEREBY CERTIFY THAT THE ATTACHED SECTION OF SURVEY OF THE ABOVE DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED UNDER MY SUPERVISOR.

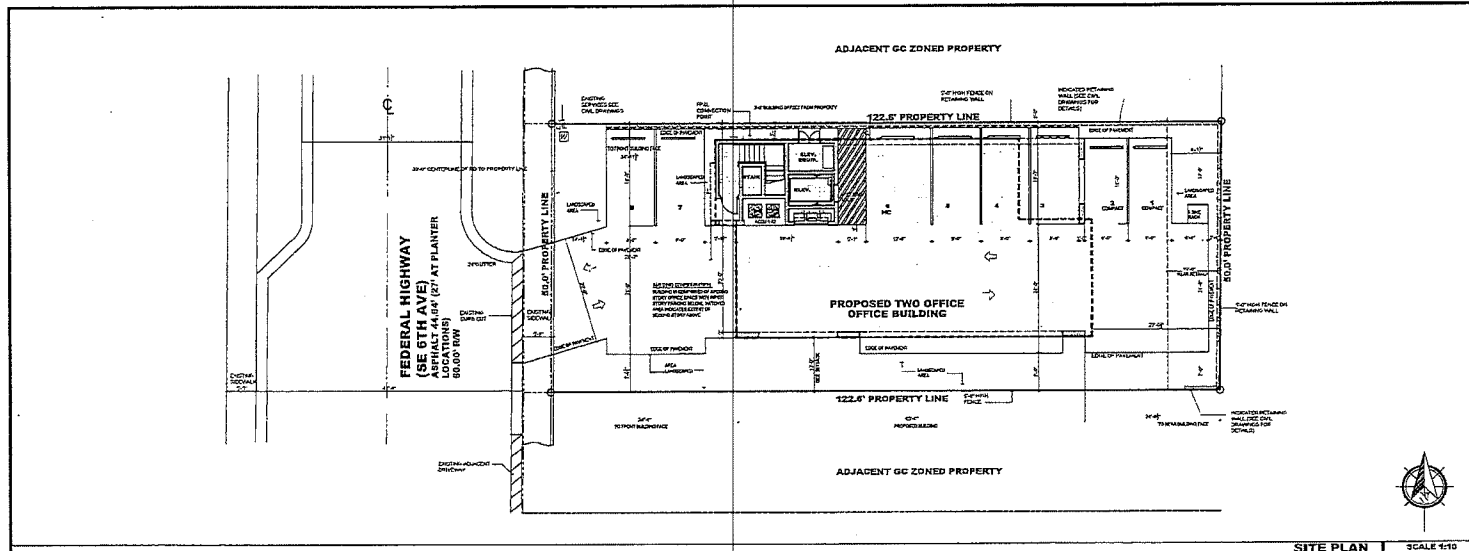
PAUL A. DAVIS	STATE OF FLORIDA
SCALE	1" = 10'
DRAWN BY	P.A.D.
DATE	06/06/89
JOB NO.	00-10-89
C.B. / P.D.	TUC
FILE	0
SHEET NO.	1 OF 1



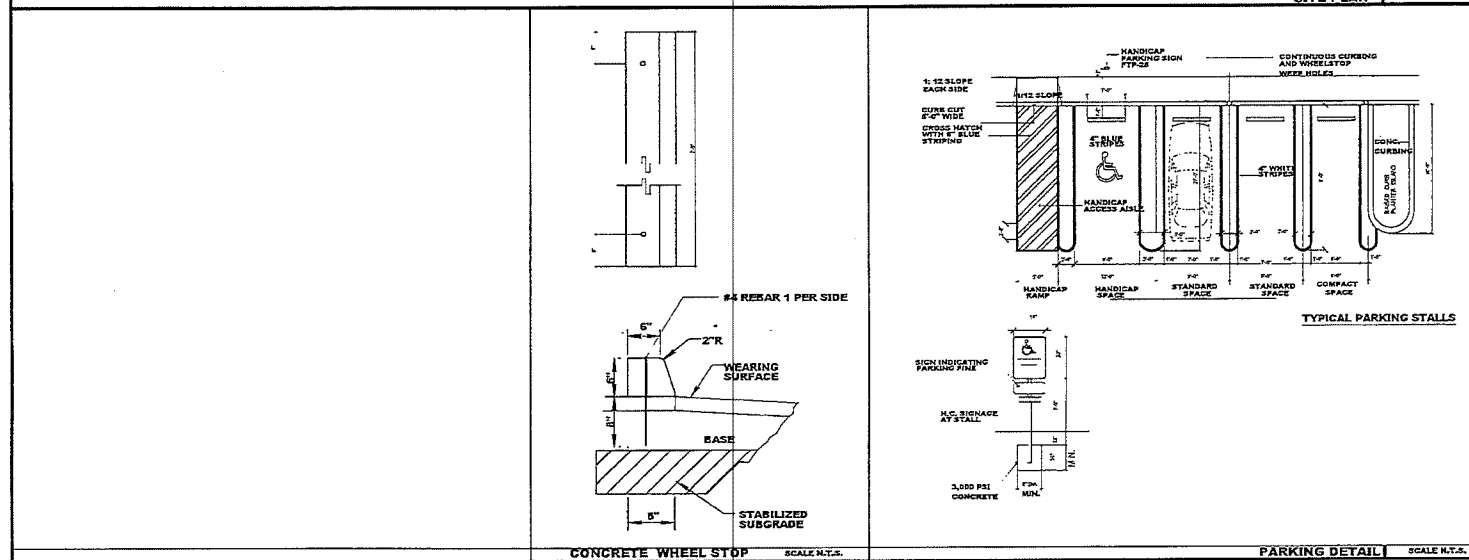
PAUL A. DAVIS, INC.

Land Surveyors - Land Development - Consultants - Planners
4710 N.E. 17TH AVE., FORT LAUDERDALE, FLA. 33304-1527
Phone (954) 243-2102
Subdivisions & Condominiums Land & Site Planning
S.E. Survey - Mapping - Survey - Planning - Design - Survey - Planning - Design - Survey - Planning - Design - Survey - Planning - Design

NO.	DATE	REVISION DESCRIPTION	BY

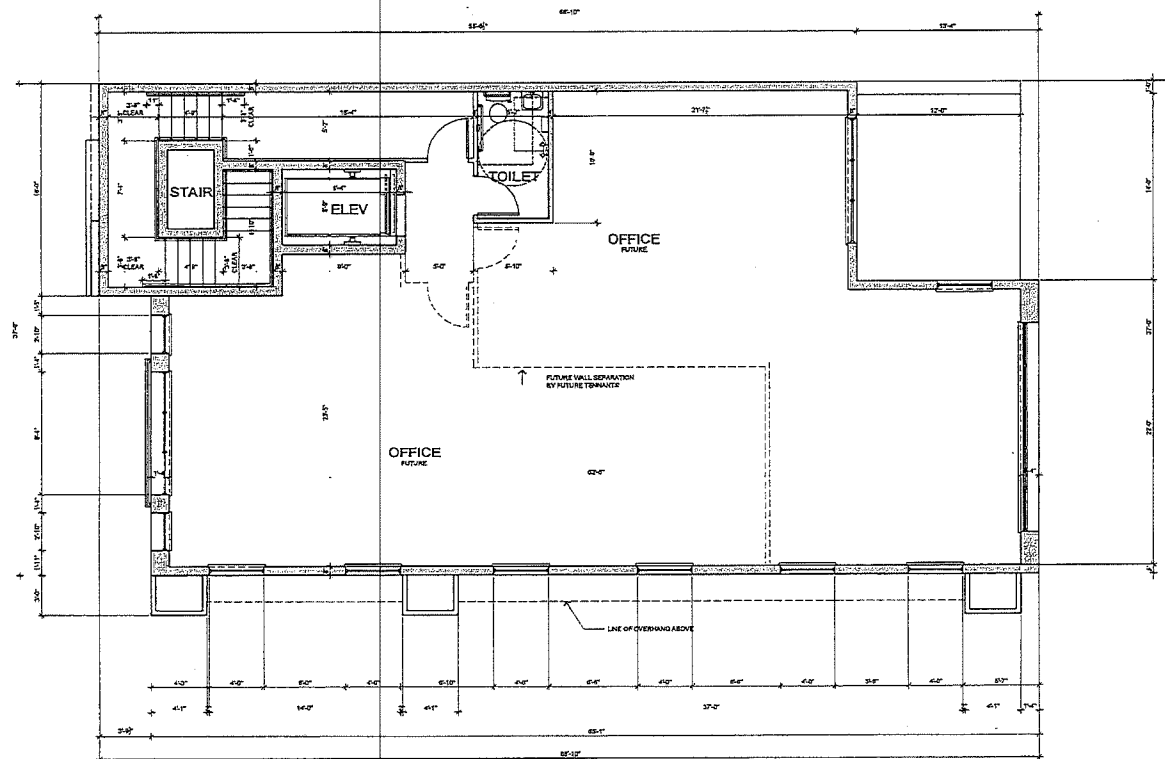


SITE AND PROJECT DATA:	
TOTAL SITE AREA:	5,130.00 S.F.
REQUIRED LANDSCAPED AREA:	1,573.83 S.F.
MIN. 25% LANDSCAPED AREA REQUIREMENT:	1,282.50 S.F.
PROVIDED LANDSCAPED AREA:	1,573.83 S.F.
% OF LANDSCAPED AREA TO SITE:	25.6% OF LOT AREA
GROUND STORY CORE AREA:	292.30 S.F.
SECOND STORY CORE AREA:	316.23 S.F.
SECOND STORY GROSS AREA:	2,941.72 S.F.
SECOND STORY NET AREA:	1,975.49 S.F.
REQUIRED PARKING:	
4.9 CARS PER 1000 S.F. OF NET AREA FOR OFFICE SPACE UP TO 3,000.00 SF	
NET AREA OF SECOND STORY:	1,975.49 S.F.
CARS REQUIRED:	9.8 CARS
CARS PROVIDED:	8 CARS
HANDICAPPED:	1 CAR
COMPACT:	2 CAR
STANDARD:	5 CARS
GROUND FLOOR AREA FOOTPRINT	2302.70 S.F. 37.5%
PROVIDED LANDSCAPED AREA:	1,573.83 S.F. 25.6%
TOTAL PAVED AREA	2253.47 S.F. 36.9%
	6130.00 S.F. 100.0%
TOTAL FLOOR AREA (1ST AND 2ND FLOOR)	2584.11 S.F. 42.15%
SETBACKS:	
REQUIRED FRONT SETBACK: 10'-0"	
PROVIDED FRONT SETBACK: 29'-2"	
REQUIRED SIDE SETBACK: 10'-0" (ONE SIDE ONLY)	
PROVIDED SIDE SETBACK: 10'-0" (NORTH SIDE)	
PROVIDED SIDE SETBACK: 3'-0" (SOUTH SIDE)	
REQUIRED REAR SETBACK: 15'-0"	
PROVIDED REAR SETBACK: 23'-4 1/2"	



ZONING: GC (GENERAL COMMERCIAL)
LOCATION:
LEGAL DESCRIPTION:
THE NORTH 50.00 FEET OF THE SOUTH 73.00 FEET OF THE WEST 127.6 FEET OF LOT 9, BLOCK 1, OSCEOLA PARK A SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGE 2 IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE WEST 5.0 FEET THEREOF FOR ROAD RIGHT-OF-WAY.
CONTAINING 5,129 SQUARE FEET, MORE OR LESS.

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SCALE 1/4"

2ND FLOOR PLAN

SCALE 1/4"

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PH. (561) 392-6783 E-MAIL: MAIL@MIKLOSARCHITECTURE.COM
WWW.MIKLOSARCHITECTURE.COM
REGISTERED PROFESSIONAL ARCHITECTS
REGISTERED PROFESSIONAL PLANNERS

MIKLOS ARCHITECTURE
ARCHITECTS/PLANNERS

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WWW.MIKLOSARCHITECTURE.COM

JOB
DATE
DRAWN
CHIKO



PROPOSED NEW BUILDING
405 NORTH
405 N FEDERAL HWY DELRAY BEACH FLORIDA

PROJECT

REVISIONS

FLOOR PLANS

SHEET CONTENTS

SEAL

GUINN L. MIKLOS
CORP. CERT. NO. A60002302

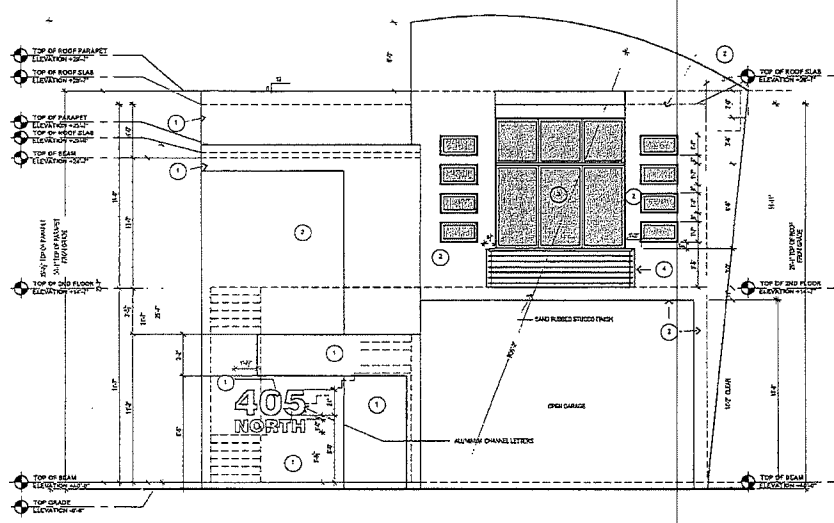
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A-2

OF

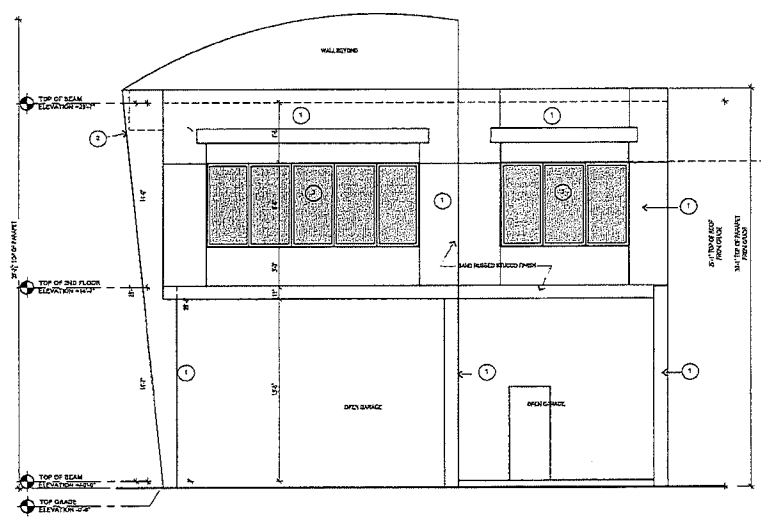
5

- 1 BROWNELL'S PURE WHITE PAINT
- 2 BROWNELL'S GYPSUM DRY MIX
- 3 BROWNELL'S GYPSUM DRY MIX
- 4 BROWNELL'S GYPSUM DRY MIX
- 5 BROWNELL'S GYPSUM DRY MIX



EAST ELEVATION

SCALE 1/4"



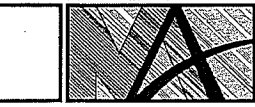
WEST ELEVATION

SCALE 1/4"

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WWW.MIKLOSARCHITECTURE.COM

JOB
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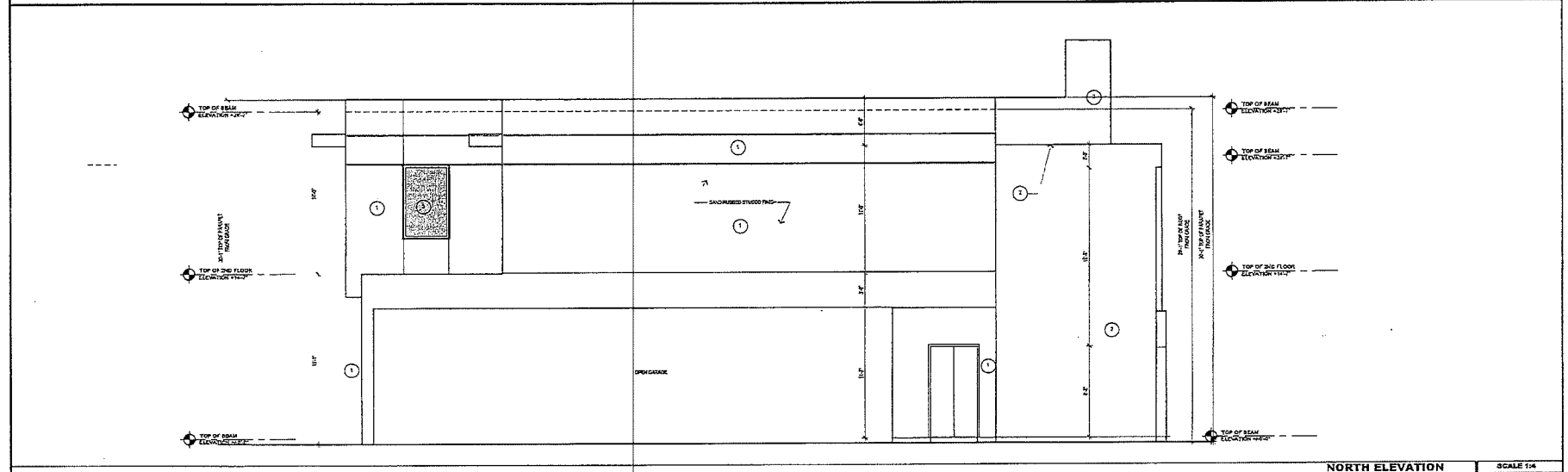
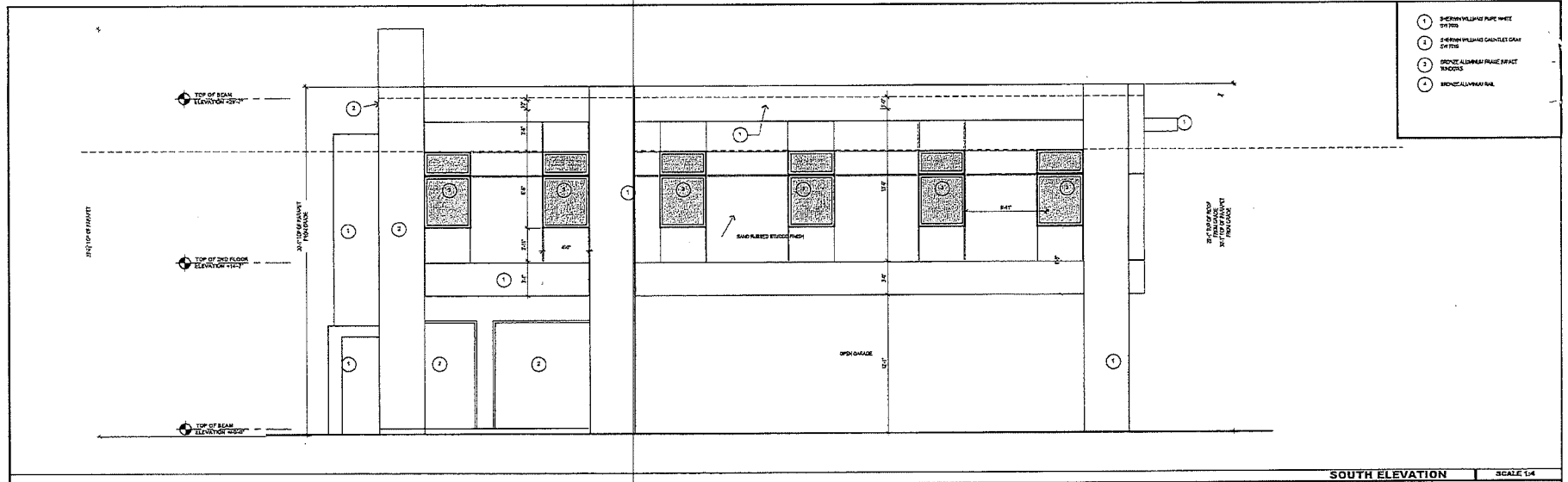
PROPOSED NEW BUILDING
405 NORTH
405 N FEDERAL HWY DELRAY BEACH FLORIDA

REVISIONS

SHEET CONTENTS

SEAL
GUINN & MIKLOS
CORP. CERT. NO. AA0002285

SHEET
A-3
OF
5



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<p>MIKLOS ARCHITECTURE ARCHITECTS/PLANNERS</p>				<p>PROJECT</p>	<p>REVISIONS</p>	<p>SHEET CONTENTS</p>	<p>QUINN & MIKLOS CONS. CERT. NO. 18 01002 AS 01002</p>	<p>5</p>

RELOCATION NOTES:

1. All canopy trees designated as relocated on the plans, are to be relocated for a minimum of 3 months prior to the relocation project.
2. The root ball size for each tree will depend on the size of the individual tree to be relocated. The size of the root ball shall be adequate to support & sustain the viability of the individual tree.
3. A root ball shall be "clean cut", and the backfill material shall be weed drained planting soil, or pre-approved equal. All root balls, and underbark fill material shall be removed from landscape trench.
4. Temporary irrigation shall be provided to all transplanted trees during the replanting process, and after the trees have been relocated to their location for a minimum of 6 months, or as necessary to insure their survivability.
5. The canopy of all trees shall be reduced by a minimum of 25% of line of root pruning.
6. All trees shall be relocated with machinery (i.e., crane, a full-end loader, tree spade, or equal) capable of handling the material without damaging any portion of the tree. The Landscape Architect will provide all methods utilized for the relocation process.
7. All relocation work shall comply with the National Arboreal Standards.

- REMOVAL NOTES:**
1. All trees to be removed shall be completely removed from the site.
 2. The root system of the removed shall be removed in such a manner to facilitate the installation of new trees, or palm, road system removed shall be a minimum of 2' depth, and a 4 foot diameter around the trunk.
 3. TREE REMOVAL PERMITS WILL BE REQUIRED BY THE ADJACENT MUNICIPALITY, AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS.

ALL UNDERGROUND UTILITIES SHALL BE LOCATED PRIOR TO COMMENCING ANY WORK ON THE SITE, PER FLORIDA LAW.

PROJECT NOTE:
ALL MATERIALS ON SITE NOT INDICATED TO BE REMOVED OR RELOCATED SHALL REMAIN.

SEE SHEET L2 FOR RELOCATED MATERIAL LOCATIONS

SEE DATA

Total lot area
Total paved area
Curb-to-curb green space (10% of total paved area)
Isolated green space provided
Total # of trees required (1 per 125 sq. ft. of required green space)
Number of trees from provided
Fertilizer/green space required (depth of buffer x length)
Number of perimeter trees required (one per 30 ft. Lx)
Number of perimeter trees provided

4,130 Sq. Ft.
4,371 Sq. Ft.
437 Sq. Ft.
465 Sq. Ft.
4 Trees
4 Trees
1,093 Sq. Ft.
7 Trees
12 Trees

VEGETATION CALCULATION

Required shrub & ground cover
100% of required shrub & perennials green space
Shrub & ground cover provided
Required native plant material
25% of required shrub & ground cover
Native plant material provided
Number of native trees provided
25% of required total
Native trees provided

570 Sq. Ft.
1,016 Sq. Ft.
130 Sq. Ft.
975 Sq. Ft.
11 Trees
16 Trees

EXISTING MATERIAL RELOCATION SCHEDULE

QTY. DESCRIPTION SEE
11 EXIST. SABAL PALM (11" CT)
TOTAL NUMBER OF EXISTING MATERIALS TO BE RELOCATED = 11
SEE PLANTING PLANS FOR RELOCATION

EXISTING MATERIAL REMOVAL SCHEDULE

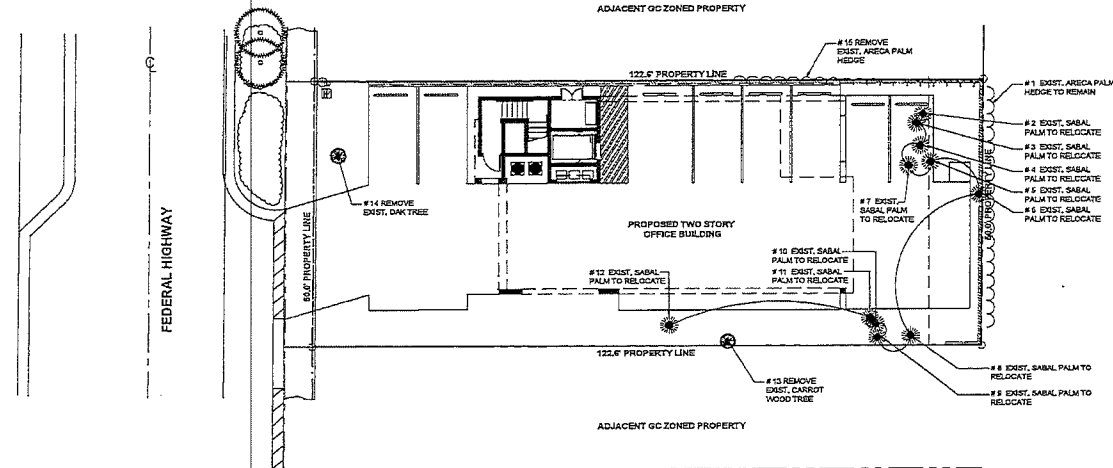
QTY. DESCRIPTION
1 CARROT WOOD TREE
1 EXIST. OAK TREE
ARECA PALM HEDGE
TOTAL NUMBER OF EXISTING MATERIALS TO BE REMOVED = 3
TREES TO BE REMOVED DUE TO POOR CONDITION, BRANCHING STRUCTURE, LOW CROUCH OR DAMAGED TRUNK STRUCTURES

TREE REMOVAL/RELOCATION STATUSES

- 1- THE LIVE OAK TREE (#14) IS A MEDIUM-TERM LOW BRANCHING TREE WITH CO-DOMINANT BRANCHING STRUCTURE
- 2- THE CARROT WOOD (#15) IS AN INVASIVE SPECIES AND MUST BE REMOVED, PER CODE

EXISTING TREE LEGEND

#	DESCRIPTION	SIZE	RELOCATION
# 01	EXIST. ARECA PALM HEDGE	(11" CT)	TO REMAIN
# 02	EXIST. SABAL PALM	(11" CT)	RELOCATE ON SITE
# 03	EXIST. SABAL PALM	(11" CT)	RELOCATE ON SITE
# 04	EXIST. SABAL PALM	(11" CT)	RELOCATE ON SITE
# 05	EXIST. SABAL PALM	(11" CT)	RELOCATE ON SITE
# 06	EXIST. SABAL PALM	(11" CT)	RELOCATE ON SITE
# 07	EXIST. SABAL PALM	(11" CT)	RELOCATE ON SITE
# 08	EXIST. SABAL PALM	(11" CT)	RELOCATE ON SITE
# 09	EXIST. SABAL PALM	(11" CT)	RELOCATE ON SITE
# 10	EXIST. SABAL PALM	(11" CT)	RELOCATE ON SITE
# 11	EXIST. SABAL PALM	(11" CT)	RELOCATE ON SITE
# 12	EXIST. SABAL PALM	(11" CT)	RELOCATE ON SITE
# 13	EXIST. CARROT WOOD TREE	(11" CT)	TO BE REMOVED
# 14	EXIST. OAK TREE	(11" CT)	TO BE REMOVED
# 15	EXIST. ARECA PALM HEDGE	(11" CT)	TO BE REMOVED



- Trees To Be Relocated
- ⊗ Trees To Be Removed Due To Poor Condition, Branching Structure, Low Crouch Or Damaged Trunk Structures

Overall Existing Tree Removal & Relocation Plan

REVISIONS	BY
Rev. 02/20/16 Per City Comments, dated 02/08/16	PL

DESIGNED BY:
CARTER & ASSOCIATES
LANDSCAPE ARCHITECTS INC.
74 N.E. 5th Ave., Delray Beach, FL 33483
(561) 272-9621 email:cl@carterandassociates.com

Landscape for:
405 NORTH
405 North Federal Hwy, Delray Beach, Florida

Drawn
PL
Checked
D.H.C.
Date
02.20.16
Scale
1" = 10'
North
1/15/15
Sheet
L-1
3
SHEETS

GENERAL LANDSCAPE NOTES:

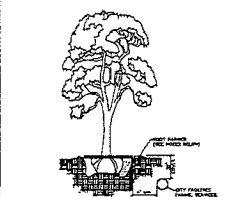
1. All plant material shall be F1, F1.1, or better, as per the latest edition of F1, Grades & Standards. All "specimen" quality material shall be F1, F1.1, or better, and shall be pre-approved by the Landscape Architect.
2. All plant material shall be true to name & size, as per F1, Grades & Standards. Plant material which do not meet, or exceed these standards will not be accepted.
3. Quantities, sizes, and locations of plants will be determined by the plan and material schedule. Sites of the specified plants shall be indicated on the plan. Spacing of the ground covers will be determined by the material schedule. Quantities shown on the material schedule are to be used as a guideline. The landscape contractor shall be responsible for the actual quantities shown on the plan. The plan will take precedence over the material schedule. The landscape contractor shall be brought to the attention of the Landscape Architect, prior to commencing.
4. No substitutions shall be accepted without the Landscape Architect's written approval. All substitution requests shall be made in writing.
5. Planting sets shall be clean, healthy, and free of defects. All shall consist of 50% F1, must be 50% above soil. Two's must be installed with a minimum of 8" on sides & bottom of root balls. Shrubs, plants & ground covers shall be installed with a minimum of 4" on sides & bottom of root balls. Rooted cuttings shall be installed with a minimum of 2" at planting soil-worked into the top 4" of the existing soil. Rooted palms and Phoradendron shall be installed with a clean well drained soil.
6. Mulches, or arid, will be applied to all plantings, per manufacturer's recommendations. In addition, "gypsum" tablets (20 lbs) shall also be applied to all plants 1 gal./100 sq. ft. per manufacturer's recommendations.
7. All two's & plants shall be installed with a 20" diameter circle, 2" minimum depth. All planting beds shall receive 2" finished depth, mulch upon completion of planting process. Mulch shall be "RecyclePlus", or approved equal. NO CYPRIS MULCH SHALL BE UTILIZED ON THE PROJECT.
8. All plants shall be planted at all levels which they were previously grown. Shrubs and hedges are to be planted 2" away from any wall, or structure. Materials with a greater than overhang shall be planted so as not to impede the natural growth habit of the plant.
9. All materials are to be watered immediately after planting, so as to remove all air pockets. All materials are to be hand-watered for a minimum of 1 week after installation, and thereafter as required. Contractor shall advise the owner of any additional hand-watering requirements.
10. All two's, 8ft., or larger, are to be staked, or guyed, to provide ample support until the materials remain straight & true in an upright position through the growing period. Staking & guying shall be performed at the option of the landscape contractor, except where required by code. However, the landscape contractor shall be responsible for all two's & plants remaining straight & true through the growing period. In the event that a material after it has been properly staked, or guyed, the landscape contractor shall not be held responsible.
11. All soil shall be "flashed", unless otherwise specified. Soil shall be dense, green, well-aerated, and free of debris, weeds, ditches, or insects. A sample soil-lift shall be applied at a rate of 100 lbs. per 1,000 sq. ft. and is to be watered to a depth of 2" immediately after installation. Grades are to be raised smooth, and all debris removed, prior to installation.
12. All two's, plants & ground-covers shall be guaranteed for a period of 120 days, and all palms are for a period of one year, after the date of substantial completion. The landscape contractor's discipline shall be maintained, per grower/supplier recommendations, by a qualified person, or firm. Valid maintenance programs shall be the responsibility of the owner. The landscape invoice will be deemed as selection of the plant material. The landscape contractor shall remove only, or all of the rejected material from the site as they discretion.
13. The term "one inch" is not included in the landscape contract.
14. All grades are to be within 2" of finished grade, prior to the landscape contractor commencing work.

Automatic irrigation system to provide 100% irrigation coverage, with 100% overlap minimum, with a programmable controller and rain sensor. Shrub & turf zones are to be separated. THERE SHALL BE NO TREES OR SHRUBS PLACED WITHIN WATER, SEWER OR DRAINAGE ASSESSMENTS

TREE PROTECTION NOTES:

- Protection from construction work. During any construction, land development or lot clearing, the contractor and the owner at the property subject to this section shall adhere to the requirements which follow:
- (1) Place and maintain protective barriers around the site of all trees to be retained on the site to prevent their destruction or damage. The protective barriers shall be at least 4' (4) feet in height and continuously closed to be seen easily by operator of trucks and other equipment. Protective barriers shall be constructed of sturdy material (not flimsy or flimsy) and shall be installed prior to and during construction and/or land development.
 - (2) No store or use materials or equipment within the drip line of any tree to be retained on the site unless the activity is being done to protect the tree.
 - (3) No discharge or contaminants shall be allowed within the drip line of any tree to be retained on the site with any construction materials such as soil, oil, solvents, petroleum products, asphalt, concrete, mortar, or other materials that may cause adverse impacts.
 - (4) Clearing of vegetation within the drip line of trees designated for preservation shall only be by hand or light other wheeled equipment that will not damage tree trunks and equipment shall be a maximum of thirty-eight (38) inches wide, be in line, with a maximum weight of three thousand five hundred (3,500) pounds.
 - (5) Utility retaining walls and ditches where needed to protect trees to be preserved from severe grade changes.
 - (6) Pruning of trees to be preserved shall be in accordance with the standards for pruning established by city code.
 - (7) Make no attachment, other than those of a protective and non-damaging nature, to any tree to be retained on the site.
 - (8) Not change the natural grade above the root system within the drip line of any tree to be retained on the site unless it can be demonstrated to the city that it will not damage any tree.
 - (9) Avoid any excavations, excavations or severe grade changes within the drip line of preserved trees unless it can be demonstrated to the city that it will not impact any tree and
 - (10) Not cause soil compaction within the drip line of any tree to be retained on the site and
 - (11) Any trees designated to be preserved which are damaged during construction shall promptly be replaced.

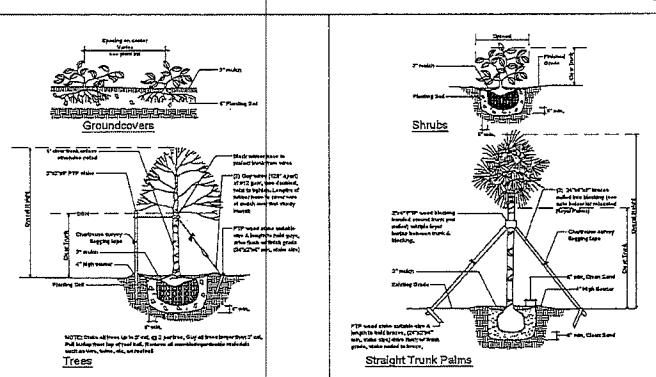
NOTE:
THE LANDSCAPE INSTALLATION SHALL UTILIZE BEST MANAGEMENT PRACTICES SET FORTH BY FLORIDA FRIENDLY LANDSCAPE STANDARDS



1. ALL TREE REMOVAL SHALL BE 1" ABOVE THE CITY REQUIREMENTS.
2. ALL TREE REMOVAL SHALL BE 1" ABOVE THE CITY REQUIREMENTS.
3. ALL TREE REMOVAL SHALL BE 1" ABOVE THE CITY REQUIREMENTS.
4. ALL TREE REMOVAL SHALL BE 1" ABOVE THE CITY REQUIREMENTS.
5. ALL TREE REMOVAL SHALL BE 1" ABOVE THE CITY REQUIREMENTS.

Any trees or shrubs placed within water, sewer or drainage easements shall conform to the City Standard Detail requirements.

Notes & Details



NOTE: Existing material at within landscape islands, interior landscape strips and perimeter landscape strips, adjacent to vehicular use areas, shall be excavated down to a depth of 30" (30) inches below existing grade, except for a 2" buffer from the edge of curb or pavement (see detail). A suitable planting soil mixture of 60% (60%) topsoil, 40% (40%) sand / planting soil shall be installed in place of the native soil and used as optimum environment for successful tree development. If native soils to be mixed, it shall be screened to remove rocks and debris larger than one inch (1") in diameter prior to mixing. All procedures under this section shall be required to have an open landscape bed inspection prior to backfilling.

Qty.	Key	Botanical / common name	Size
2	Pep-1	Phycospermum elegans / Alexander palm Mole	18" ea. Triple, mitch
7	Eph-1	Illex spp / east palmetto holly tree	14" ea. Triple, mitch
10	Sp-4	Sabal palm, Redland	14" ea. Triple, mitch
2	Eph-2	Rytidocarpus / FL Royal palm	8" ea. Triple, mitch
2	Eph-3	Boraginaceae / Japanese Blueberry	12" ea. Triple, mitch
2	Eph-4	Phycospermum elegans / Alexander palm	12" ea. Triple, mitch
1	Cal-1	Canoe palm / green buttonwood tree	14" ea. Triple, mitch
132	Pm-7	Pennisetum / Green Island	14" ea. Triple, mitch
112	GP-1	Pennisetum / Green Island	14" ea. Triple, mitch
2	Eph-5	Chrysanthemum / Cocksfoot	14" ea. Triple, mitch
100	W1	Subsp / Yellow	14" ea. Triple, mitch
100	W1	Palmetto palm / West form	14" ea. Triple, mitch
	W2	W2	14" ea. Triple, mitch

~ Denotes native, or highly drought tolerant plant material, per SFWMD, "Xeriscape Manual"

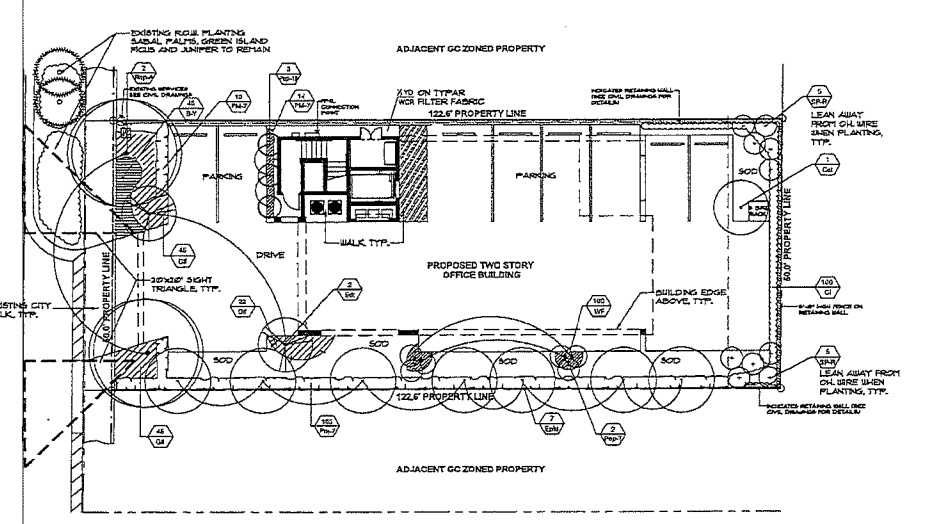
Planting soil, see spec. & detail.
Soil Mulch, see spec. & detail.
Soil Fertilizer (See plan)

- NOTES:
1. All trees, shrubs & plants used on this site shall conform to the requirements of "Low watering need" materials as specified in the South Florida Water Management District's "Waterwise" publication.
 2. All proposed utility structures shall be placed on three sides with "Waterwise" Cocksfoot edges.
 3. All landscape areas containing trees and vegetation shall be installed with city imposed clean fill soil.
 4. Clean fill. All planted areas on the site shall be filled with clean fill to a depth of one foot from the surface along the entire length of the green space, island, or landscape buffer.
 5. Inspection. The city shall inspect all clean fill, irrigation systems and landscape improvements prior to installation.

Automatic irrigation system to provide 100% irrigation coverage, with 100% overlap minimum, with a programmable controller and rain sensor. Shrub & turf zones are to be separated. THERE SHALL BE NO TREES OR SHRUBS PLACED WITHIN WATER, SEWER OR DRAINAGE ASSESSMENTS

NOTE: All Landscape With-in Sight Triangles Shall Provide Unobstructed Cross-View At A Horizontal Level between 20 inches and 8 feet, including Double Turn Forward.

ALL VEGETATION MUST CONFORM TO USDA STANDARDS



Landscape Plan

REVISIONS	BY
Rev. 02/20/16 Per City Comments, Solid 02/20/16	PL

DESIGNED BY:
CARTER & ASSOCIATES
LANDSCAPE ARCHITECTS INC.
741 N.E. 5th Ave. Delray Beach, FL 33483
561-272-9621 email:clac@delraybeach.com

Landscape for:
405 NORTH
405 North Federal Hwy, Delray Beach, Florida

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**MINUTES
SITE PLAN REVIEW AND APPEARANCE BOARD
CITY OF DELRAY BEACH**

MEETING DATE: June 8, 2016

MEETING PLACE: City Commission Chambers

I. CALL

The meeting was called to order by Chair Jose Aguila at 6:00 P.M. There were no previous meeting Minutes to approve.

II. ROLL

A quorum was present. Members present were Vlad Dumitrescu, Roger Cope, Jim Knight, James Chard, Andrew Youngross and Jose Aguila. Staff present were Janice Rustin, Assistant City Attorney; Amy Alvarez, Senior Planner; Candi Jefferson, Senior Planner; Jennifer Buce, Assistant Planner; and Diane Miller, Board Secretary.

III. SWEARING IN OF THE PUBLIC

Chair Jose Aguila read the Quasi-Judicial Rules for the City of Delray Beach and Ms. Miller swore in all who wished to give testimony.

IV. COLOR CHANGES

A. Seagate Towers (2016-169): Color change for 200-220 Macfarlane Drive

Amy Alvarez, Senior Planner, presented the item to the Board.

Board Comments

Board Members were all in agreement with the color choices presented.

Motion to approve the Color Change was made by Roger Cope and seconded by Andrew Youngross.

MOTION CARRIED 6-0

V. SIGNS

A. Delray Beach Boxing (2016-162): Sign Waiver for 2455 Old Dixie Highway

Jennifer Buce, Assistant Planner, presented the project to the Board.

Board Comments

Board Members discussed the specifics of the size and font of the sign. They also requested and received confirmation that this doesn't create a precedent since it is for a stand alone building.

Motion to approve to City Commission the Sign Waiver request to allow the proposed south facing wall sign as presented, and with the stated condition that the north elevation signage will

not be allowed until the applicant has been approved for a Class III, new use, was made by Jim Knight and seconded by Roger Cope.

MOTION CARRIED 6-0

Andrew Youngross stepped down on the next item as he is the project engineer.

VI. SITE PLANS

A. Weekes & Callaway (2016-147): Class III Site Plan Modification, Landscape Plan and Architectural Elevations at 3945 W Atlantic Avenue

Candi Jefferson, Senior Planner, presented the item through a review of the staff report and entered file 2016-147 into the record.

Board Comments

Jim Chard asked for clarification on the comments regarding relocation and removal of the trees. Mark Borg, Project Manager and Candi Jefferson both agreed that their notes indicated there were no trees being removed and therefore agreed it was an oversight that any removal was mentioned and would be taken out of the wording. The Board agreed overall it was a nice design.

Motion to approve Class III Site Plan was made by James Chard and seconded by Roger Cope.

MOTION CARRIED 5-0

Motion to approve Landscape Plan was made by James Chard and seconded by Vlad Dumitrescu with the following conditions:

- The relocation notes be modified to address the root pruning maximum percentage which should be worked out and approved with staff
- The wording concerning *removal* of trees be changed to *relocation* of trees on site

MOTION CARRIED 5-0

Motion to approve Architectural Elevations was made by James Chard and seconded by Roger Cope.

MOTION CARRIED 5-0

Andrew Youngross returned to the dais for the next item.

B. 405 North (2016-054): Class V Site Plan Modification, Landscape Plan, Architectural Elevations and Waiver Requests at 405 SE 6th Avenue

Candi Jefferson, Senior Planner, presented the item through a review of the staff report and entered file 2016-054 into the record.

Board Comments

Board Members all liked the building and the architecture, but had concerns with the other issues associated with the waivers requested, the overall size relative to the property and the landscaping.

Motion to approve the Landscape Island Waiver was made by Roger Cope and seconded by Jim Knight.

MOTION FAILED 3-3, Roger Cope, Andrew Youngross and Jose Aguila, dissenting

Motion to approve Buffer Waiver was made by Roger Cope and seconded by Jim Knight.

MOTION FAILED 1-5, Vlad Dumitrescu, Roger Cope, Jim Knight, Andrew Youngross and Jose Aguila dissenting

Motion to approve Class V Site Plan was made by Roger Cope and seconded by Andrew Youngross.

MOTION FAILED 0-6

Motion to approve Landscape Plan was made by Roger Cope and seconded by J Andrew Youngross.

MOTION FAILED 0-6

Motion to approve Architectural Elevations was made by Roger Cope and seconded by James Chard.

MOTION CARRIED 5-1, Andrew Youngross dissenting

VII. DISCUSSION ITEMS

A. Gunther Volvo (2016-179): Concept Plan Review discussion regarding improvements on the subject properties. This review is non-binding and no action shall be taken by the Board nor shall there be any written report resulting from this discussion.

VIII. REPORTS AND COMMENTS

City Attorney Comments

Janice Rustin updated the Board on her research on registered trademarks. She found they are regulated by Federal Law (the Land Act) which pre-empts cities from altering a registered trademark.

Staff Comments

Amy Alvarez told the Board our newly appointed member, Shannon Dawson, will be at the next meeting or the first meeting in July. The June 21st meeting currently has four items scheduled. Candi Jefferson will return as SPRAB liaison in July.

Board Comments

Vlad Dumitrescu asked about the alternative action option on the staff reports.

IX. ADJOURN

There being no further business to come before the Board, the meeting was adjourned at 8:15 P.M.

The undersigned is the Secretary of the Site Plan Review and Appearance Board and the information provided herein is the Minutes of the meeting of said body for June 8, 2016, which were formally adopted and approved by the Board on _____, 2016.

Minutes of the June 8, 2016 SPRAB

Kelly Ann Simmons

Kelly Ann Simmons

If the Minutes you have received are not completed as indicated above, then this means that these are not the official Minutes. They will become so after review and approval, which may involve some changes.

(These Minutes are a record of the proceedings of this Board. The full audio and video recording of these proceedings are available at:

www.mydelraybeach.com/city-commission/av or a digital copy may be purchased at City Hall.)