



# DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

100 NW 1<sup>ST</sup> AVENUE, DELRAY BEACH, FLORIDA 33444  
PLANNING & ZONING DIVISION: (561) 243-7040 • BUILDING DIVISION: (561) 243-7200

## SITE PLAN REVIEW AND APPEARANCE BOARD

Meeting: 10/28/20

File No: 2020-094-SPF-SPR-CLII

Application Name: Banyan Court

### General Data:

**Applicant:** Steller Communities, LLC.

**Agent:** Miller Land Planning, Inc.

**Location:** 13132 & 13088 Barwick Road

**PCN:** 00-42-46-12-00-000-1060, 1020, 1050

**Property Size:** 6.68 ± acres

**FLUM:** Medium Density Residential (MD)

**Zoning:** Planned Residential Development 6 units/acre (PRD-6)

### Adjacent Zoning

- **North:** Single Family Residential (RS)\*
- **East:** Community Facility (CF)
- **South:** Agricultural Residential (AR)\*
- **West:** Agricultural Residential (AR)\*, Planned Residential Development (PRD)

\*Unincorporated Palm Beach County

**Existing Land Use:** Vacant Lot

**Proposed Land Use:** 40-Unit Single-Family Home Development

**Density:** 6 dwelling units per acre

### Item before the Board:

The action before the Board is for the approval of a Class II Site Plan application for Banyan Court pursuant to LDR section 2.4.5 (G)(1)(b), including the following:

- Site Plan
- Landscape Plan
- Architectural Plan



### Optional Board Motions for Action Items:

1. **Move to continue** with direction
2. **Move approval** of the Class II (2020-094) Site Plan, Landscape Plan, and Architectural Elevations for Banyan Court located at 13132 & 13088 Barwick Road as amended, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations.
3. **Move denial** of the Class II (2020-094) Site Plan, Landscape Plan, and Architectural Elevations for Banyan Court located at 13132 & 13088 Barwick Road, by finding that the request is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in the Land Development Regulations.

### Notes:

1. Prior to building permit issuance, provide a draft copy of the Homeowner Association (HOA) documents.
2. Prior to building permit issuance, update the Property Control Number (PCN) for each parcel from Palm Beach County numbers (00-xx) to the City of Delray Beach numbers (12-xx).

**Project Planner:**  
Kent Walia, AICP, Senior Planner;  
[waliak@mydelraybeach.com](mailto:waliak@mydelraybeach.com)  
561-243-7365

**Review Dates:**  
**SPRAB Board:**  
10/28/20

- Attachments**
1. Site Plans
  2. Landscape Plans
  3. Architecture Plans



3. Prior to building permit issuance, provide a maintenance agreement for the green trail at the front of the property along Barwick road.
4. Provide the cost for the installation of the bus shelter (\$11,000) per LDR Section 2.4.3 (D)(7) prior to building permit issuance.

**Summary:**

On October 21, 2019 the Planning and Zoning Board (P&Z Board) approved the Master Development Plan (MDP) for a 40 unit zero-lot-line single-family detached home development known as Banyan Court. Pursuant to LDR Section 2.4.4 (F)(6)(a), "a MDP shall be the guide for any subsequent site plan or subdivision action. A site plan shall be required for any phase or the entire area encompassed by a MDP. Individual site plans shall be processed pursuant to Section 2.4.5(G), (H), and (I) with approval authority of the Site Plan Review and Appearance Board (SPRAB)." Before the SPRAB is a request for approval for a Class II Site Plan, landscape plan, and architectural elevations for the Banyan Court development located at 13132 & 13088 Barwick Road. The site plans include paving and drainage installations. The architectural elevation plans include four home model designs. The landscape plans include the new plantings and the removal, relocation, and replacement of various vegetation.

**Background:**

The 6.68± acre site consists of a combination of three parcels located approximately 70' south of the L-30 canal on the northbound side of Barwick Road, with physical addresses 13132 & 13088 Barwick Road. The following is a list of events relating to the property:

- According to the Palm Beach County Property Appraiser (Property Appraiser), the northernmost parcel 00-42-46-12-00-000-1060 has an existing single-family home that was built in 1959. A note has been added to the staff report requiring that the PCN's be changed to Delray Beach PCN's prior to building permit issuance.
- In 2017, the applicant filed an application with Palm Beach County to amend the land use designation from MR-5 to 8 du/acre. During the review process, it was determined that the applicant should file a petition to annex into the City of Delray Beach.
- On November 27, 2018, the City Commission approved Ordinance No. 27-18 to annex the subject site into the City of Delray Beach municipal boundary.
- At the December 12, 2018 City Commission meeting, the applicant requested postponement of the annexation (Ordinance No. 27-18), as well as for the first readings of the accompanying Future Land Use Map (FLUM) amendment (Ordinance No. 28-18) and Rezoning (Ordinance No. 29-19).
- On October 21, 2019 the Planning and Zoning Board (P&Z Board) approved the Rezoning and Master Development Plan (2018-162) for the project which included three waivers. The waivers were from:
  1. LDR Section 4.3.4 (H)(3)(a), which allowed for a 10' building setback opposite the lot line with the zero setback in lieu of the 15' required.
  2. LDR Section 4.3.4 (K), which allowed for a 40' corner lot width for zero lot line property lines in lieu of the 60' required.
  3. LDR Section 6.1.3 (B)(1)(b), which allowed for a 4' internal sidewalk width in lieu of the 5' required.
- On January 1, 2020, the City Commission adopted Ordinance 44-19 annexing the subject site into the City of Delray Beach boundary from Palm Beach County Unincorporated; Ordinance 37-19 (FLUM) changing the land use designation of the subject site from unincorporated Palm Beach County Medium Density Residential 5 units per acre (MR-5) to the City of Delray Beach Medium Density Residential 5-12 du/ac (MD), and Ordinance 38-19 Rezoning the subject site from Palm Beach County Agricultural Residential (AR) district in part and Residential High (RH) district in part, to the City of Delray Beach Planned Residential Development with a specified density of six (6) dwelling units per acre (PRD-6),
- On July 21, 2020, the City Commission approved Resolution 118-20 approving the final plat for the Banyan Court development which included a waiver: (1) from LDR Section (D)(2), to provide a minimum ROW width of 40' along Verawood Lane, 44.68' along Silvester Palm Drive, and 44.68' feet along Buttonwood Drive; and a waiver (2) from LDR Section 6.1.2(C)(2)(e) to provide a 45-degree angle taper at the internal corner property lines in-lieu of the 25-foot radius required.



**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.

Pursuant to LDR Section 4.4.7 (A) **Purpose and Intent**, *The Planned Residential District (PRD) provides a residential zoning district with flexible densities in which multiple family and single family detached dwellings are designed together so as to: promote improved design, character, and quality of development; to preserve natural, scenic, and open space features of a site; and to accommodate flexibility in design. Further, the PRD provides for implementation of provisions of Goal Area "C" of the Comprehensive Plan and, more specifically Objective C-2 which calls for providing a variety of housing types, and Policy C-2.1 which calls for providing sites for single family detached and low density planned residential development.*

- Pursuant to LDR Section 4.4.7 (B)(1), single-family detached dwellings whether conventional or zero lot line designed are a permitted use in the PRD zoning district. The project proposes to construct 40 fee simple single-family detached homes. The zoning designation approved is PRD-6 which allows for 6 dwelling units per acre. On October 21, 2019, the P&Z Board approved the Master Development Plan for the referenced project to construct 40 single-family detached homes.

The architectural plans provided include four home designs that provide a variety of building sizes, stories, and styles. The site plan design includes a passive pavilion area with benches overlooking swale areas, an internal sidewalk network, and an external linear park.

**Base District Requirements:**

The following matrix compares the project design to the minimum and maximum development standards for the PRD zoning district set forth in LDR Section 4.3.4 (K).

**LDR Section 4.3.4 (K) Development Standards Matrix**

Zoning	Required / Allowed	Provided
<b>Planned Residential Development (PRD-6)</b>		
Lot Frontage (Min. Interior/Corner)	40/60	40'
Lot Width (Min. Interior/Corner)	40/60	40'*
Lot Depth (Min.)	80	112' (min.)
Lot Area (Min.)	4,500 sf	4,516 (min)
Height (Max.)	35'	23.5' (max)
Open Space (Min):	25%	32.8%
Common Open Space (Min):	15%	15.02%
Setbacks:		
<b>Front (East)</b>	20'	20'
<b>Side Setbacks (South)</b>	0/15'	0/10'***
<b>Rear (West)</b>	10'	10'

\* The applicant received a waiver from LDR Section 4.3.4 (K) from the P&Z board (2018-162), to provide a 40' corner lot width in-lieu of the minimum 60' required.

\*\* The applicant received a waiver from LDR Section 4.3.4 (H)(3)(a) from the P&Z board (2018-162), to provide a minimum 10' setback coterminous to a side property line between the proposed structure and the structure on the adjacent lot, in-lieu of the minimum 15' setback required for zero lot line developments.

**Development Standards:**

Pursuant to LDR Section 4.4.7 (F)(2), The following standards apply to the overall development project:

- At least 50 percent of the units must be in single family detached units where the overall density is six units per acre or less, or at least 40 percent where the overall density is greater than six units per acre;
  - The project is proposing 40 fee simple single-family detached homes which will compose 100% of the units on the site. The density being proposed is 6 dwelling units per acre (6.68 acres x 6 du/ac = 40.08 units).



- (b) Fifteen percent of the gross area of the site must be placed in common open space where the overall density is six units per acre or less, or at least 20 percent where the overall density is greater than six units per acre;
  - The LDR defines Common Open Space as “any open spaces under common ownership and control.” The LDR defines Open Space as “all areas of natural plant communities or areas replanted with vegetation after construction, such as revegetated natural areas; tree, shrub, hedge or ground cover planting areas; and lawns. Water bodies cannot be used to calculate open space areas.” The plans provided show 15.02 percent of common open space provided throughout the development which complies with the LDR section.
- (c) Minimum site area is five acres
  - The subject site 6.68 acres which exceed the minimum acres required.

**Supplemental District Regulations:**

Pursuant to LDR Section 4.6.5 (C), **Walls, fences, or hedges** located in a required front yard or street side yard shall not exceed six feet in height. Walls, fences, or hedges located in a required interior side or rear yard shall not exceed eight feet in height.

- The site plan SP-1 shows a 5’ pre-cast concrete wall at the front of the development. The walls are setback greater than 2’ from the public ROW in accordance with LDR Section 4.6.5 (F), and are screened by landscape material which would be maintained at a minimum of half the height of the wall in accordance with LDR Section 4.6.5 (E). The rear of the development will have a 5’ high black vinyl chain link fence with landscaping on the interior.



**Lighting:**

Pursuant to LDR Section 4.6.8 (C), Street light requirements for public rights-of-way shall meet the requirements of the City's Street Light Policy.

Outdoor Lighting	Maximum/Minimum Required	Provided
Local Roadway Lighting*	--(fc) max / --(fc) min	0.5 (fc) min / 3.2 (fc) max
Pedestrian Walkway	0.5 (fc) min / 5.0 (fc) max	1.5 (fc) min / 4.2 (fc) max
Light Fixture Height	25' max	25' max

\* Pursuant to LDR Section 4.6.8 (C), Street light requirements. Streetlight requirements for public rights-of-way shall meet the requirements of the City's Street Light Policy. The minimum and maximum photometric requirements for the interior roads and the public rights-of-way will be determined and reviewed for compliance during permitting.

- The photometric plans provided demonstrates compliance with the Illumination standards listed in LDR Section 4.6.8 (A)(3) Table 2.



**Off-Street Parking Requirements:**

Pursuant to LDR Section 4.6.9 (C)(2)(a), **Single family detached residences.** *Two spaces per dwelling unit. Tandem parking may be used in the Single Family (R-1) Residential Districts or Low Density Residential (RL) District. Required parking spaces shall not be located in the front setback or side street setback areas. For lots that are less than 60 feet wide and do not have alley access, one parking space may be located in either the front setback area or the side street setback area, provided that no more than 50 percent of the front and side street setback area may be improved for parking purposes.*

Parking	Required	Provided
2 spaces per unit	2 x 40 units = 80 spaces	80 Spaces
On-Street Guest Parking Spaces	-	12 Spaces
<b>Total</b>	<b>80 spaces</b>	<b>92 spaces</b>

- Pursuant to LDR Section 4.6.9 (D)(4)(a), “the standard parking space is 9 feet in width and 18 feet in length in a perpendicular configuration. Parallel parking spaces shall be 8 feet in width and 22 feet in length.” Sheet SP-1 shows 40 single-family homes with one and two-car garages (80 spaces). The one-car garages are approximately 11’x21’. The two-car garages are approximately 20’x20’. The project is a zero lot line development, with lots that are 40’ in width. Since the lots are 40’ wide, the single car garage homes are allowed to have a second parking space within the front setback. Lastly, the development is proposing 12 parallel on-street parking spaces for guest parking.

Pursuant to LDR Section 4.6.9 (D)(3)(c), **Stacking Distance,** *provisions must be made for stacking and transition of incoming traffic from a public street, such that traffic may not back up into the public street system. The minimum distance between a right-of-way and the first parking space or aisleway in a parking lot with 51 or more spaces along Non-Local roadways shall be at least 50’.*

- Sheet SP-1 shows a stacking distance of approximately 54.3’ at the south entrance and 54.4’ at the north entrance of the site between the public ROW and the first parking space of the nearest adjacent home.

**Sight Visibility:**

Pursuant to LDR Section 4.6.14 (B)(4), **Rights-of-way intersecting in single family residential areas.** *For single family residential zoned property the area of the property located at the corner formed by the intersection of two public rights-of-way with two sides of the triangular area being 25 feet in length along the abutting public right-of-way lines, measured from their point of intersection, and the third side being a line connecting the ends of the other two lines.*

- SP-1 shows 25’x25’ sight visibility triangles at the north and south entrances of the development adjacent to Barwick Road, and the intersections of the private property interior roads.

**Right-of-Way Width:**

Pursuant to LDR Section 5.3.1 (D)(2), local residential streets with curb and gutter are required to be at least 50’ in width.

- The plans show a private right-of-way from north to south with a 40’-0” width, and east and west right-of-way with an approximate 44’-8” width. Pursuant to LDR Section 5.3.1 (D)(5), “a reduction in the required right-of-way width established in Subsection (D)(2), may be granted by the body having the approval authority of the associated development application in developments in which new streets are created.” On July 21, 2020, the City Commission approved Resolution 118-20 approving the final plat for the Banyan Court development which included a waiver: (1) from LDR Section (D)(2), to provide a minimum ROW width of 40’ along Verawood Lane, 44.68’ along Silvester Palm Drive, and 44.68’ feet along Buttonwood Drive; and a waiver (2) from LDR Section 6.1.2(C)(2)(e) to provide a 45-degree angle taper at the internal corner property lines in-lieu of the 25-foot radius required.



**Landscape Analysis:**

Pursuant to LDR Section 4.6.16(C)(1)(a), prior to the issuance of a building permit for a structure or a paving permit, compliance with the requirements of LDR Section 4.6.16 shall be assured through the review and approval of a landscape plan submitted pursuant to Section 2.4.3(C).

- The landscape plans have been reviewed for compliance with LDR Section 4.6.16 by the Senior Landscape Planner. Sheet L-2 shows the removal and relocation of palms and trees. Sheet L-1 shows the proposed landscaping on individual lots, common areas, and on the linear park adjacent to the site in the public ROW. The landscape plan includes Verwood, Green Buttonwood, Silver Buttonwood, Spanish Stopper, East Palatka Holly, Dahoon Holly, Yellow Elder and Crape Myrtles trees, Sylvester, Sabal, Bald Cypress, and Thatch Palms. The plant and shrubs specified are Elephant Ear, Annuals, Bougainvillea, Cocoplum, King Sago, Green Island, Blue Flag Iris, Muhly Grass, and Dwarf Fakahatchee grass.

**Architectural Elevations:**

Pursuant to LDR section 4.6.18(B)(2), buildings or structures located along strips of land or on single sites, and not a part of a unified multi-building complex, shall strive to achieve visual harmony with the surroundings. If they are built in undeveloped areas, the three primary requirements shall be met: express honest design construction, show proper design concepts, and be appropriate to the City.

- The Banyan Court development proposes four different home models the Annapolis, Atlanta, Boston, and Columbia (see architectural plans). Each model has two elevation styles, “C” (Spanish w/Stone) and “S” British West Indies, which provide varying exterior compositions (see material and color schemes exhibit). The Annapolis model is a one-story home with 3 bedrooms, 2½ baths, and a two-car garage. The Atlanta model has a two-story home with 4 bedrooms, 2 ½ bathrooms, and a 2 car garage. The Boston and Columbia models are both two-stories with 5 bedrooms, 2 ½ bathrooms, and 2 car garages. All units will have the option for pools in their rear yards. The future home buyers will have the option to choose the model, elevation style, and lot.



- The proposed building expresses “honest design construction”, as it uses weather resistant materials, impact-resistant windows and doors, and full cut off luminaire lighting.
- The proposed building expresses “proper design concepts” by utilizing modern architectural design aesthetics, compatible colors with surrounding facades and similar scale with adjacent buildings.
- The proposed building is “appropriate to the city” as it is consistent in scale and design with the adjacent residential developments. Furthermore, the proposed development has a master development plan which was approved by the P&Z board.

Pursuant to LDR Section 4.6.18 (E), **Criteria for board action**, the following criteria shall be considered, by the Site Plan Review and Appearance Board or Historic Preservation Board, in the review of plans for building permits.

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.
  - The site plan and architectural elevations are compatible with the neighborhood and will increase the overall aesthetic design of the community. Furthermore, the size and scale of the proposed homes are in accordance with the PRD-6 zoning district. Lastly, the site incorporates over 32.8% open space which exceeds the minimum 25% LDR requirement, adding to the perviousness of the site.



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.*
  - The subject site is a combined 6.68-acre property which is mostly vacant and contains one building. The project proposes to demolish the existing building and construct a 40-unit single-family detach home neighborhood. The exterior design of the homes incorporates contemporary modern aesthetics options with neutral base wall colors, bold color accents, stucco cladding with scoring reveals, and aluminum railing materials which are compatible with the surrounding designs. The site plan includes landscape buffers, and perimeter fencing and walls. The proposed development will add to the available housing stock in the City and would improve the aesthetic appearance in the area.
  
3. *The proposed structure, or project, is in harmony with the proposed developments in the general area, with the Comprehensive Plan, and with the supplemental criteria which may be set forth for the Board from time to time.*
  - The proposed project is compatible in scale, density, and zoning of the properties adjacent to the sites. The project complies with the goals, objectives, and policies (GOP) listed in the comprehensive plan. Specifically, the Neighborhoods, Districts, and Corridors Policy NDC 1.2.3 which states “allow the Low-Density Residential land use designation on land that is or will be developed for detached, single family residential housing or for residential uses within a mix of housing.”