



SITE PLAN REVIEW AND APPEARANCE BOARD STAFF REPORT

DEVELOPMENT SERVICES DEPARTMENT

100 NW 1ST AVENUE, DELRAY BEACH, FLORIDA 33444

PLANNING & ZONING DIVISION: (561) 243-7040 • BUILDING DIVISION: (561) 243-7200

SITE PLAN REVIEW AND APPEARANCE BOARD

Meeting: October 23, 2019 | **File No.:** 2019-050-SPF-SPR-CLV | **Application Type:** Class V Site Plan for 325 Parking/Lofts

General Data

Agent: George Brewer Architecture
Applicant/Owner: Josh Abrams
Address: 325 NE 3rd Avenue
PCN: 12-43-46-16-01-089-0040
Property Size: 0.13 Acres
FLUM: Central Core (CC)
Zoning: Central Business District (CBD)
Adjacent Zoning:

- North: CBD
- South: CBD
- East: CBD
- West: CBD

Existing Land Use: Vacant

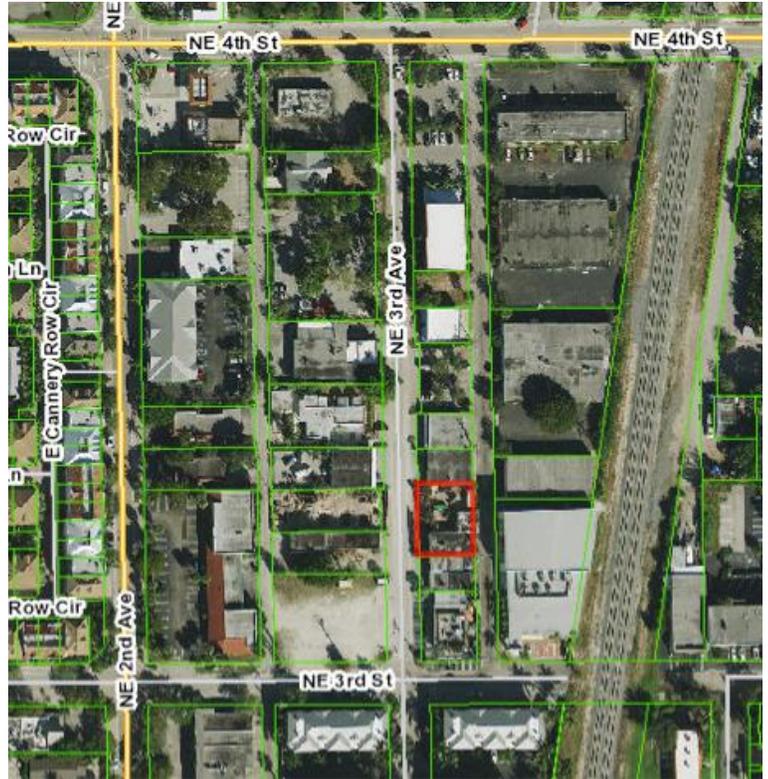
Proposed Land Use: Mixed Residential, Restaurant and Automated Parking Garage Structure.

Item before the Board:

Consideration of a Class V Site Plan application, pursuant to LDR Section 2.4.5 (F), for 325 Parking/Lofts for the construction of a 3,759 sf. three-story building and a freestanding, 52 spaces automated parking garage.

The item includes the following:

- Site Plan;
- Landscape Plan;
- Architectural Elevations, and;
- Landscape Waiver from LDR Section 4.6.16(H)(3)(d), for the landscape barrier requirement between vehicular use areas and the abutting properties.



Optional Board Motions for Action Item:

1. Move to continue with direction.
2. Move approval of the Class V Site Plan (2019-050) for site plan, landscape plan, architectural elevations, and waiver from LDR Section 4.6.16(H)(3)(d) Landscape Barrier, for **325 Parking/Lofts**, by finding that the request is consistent with the Comprehensive Plan and Land Development Regulations.
3. Move denial of the Class V Site Plan Modification (2019-050) for site plan, landscape plan, and architectural elevations, and waiver from LDR Section 4.6.16(H)(3)(d) Landscape Barrier, for **325 Parking/Lofts**, by finding that the request is inconsistent with the Comprehensive Plan and does not meet the Land Development Regulations.

Project Planner:

Debora Slaski, Planner;
SlaskiD@mydelraybeach.com,
(561) 243-7348

Review Dates:

SPRAB: October 23, 2019

Attachments:

1. Site Plans
2. Elevations
3. Landscape Plan



***Notes:**

1. The plans shall be revised prior to issuance of a building permit to include the final design of the streetscape area (including the street trees requirement) along the front of the property for staff review and approval.
2. During building permit application, a bond for alley lighting will be accessed and the deposit shall be submitted prior to issuance of a building permit.
3. A Declaration of Unity of Title is required to be recorded prior to certification of the plans.
4. A notice from each utility provider as listed in the application shall be received and addressed as applicable prior to certification of the plans.

**If the request is approved, the items listed under the Notes section must be addressed as applicable.*

Background:

The subject property is zoned CBD (Central Business District) within the Railroad Corridor Sub-district and has a Central Core (CC) Future Land Use Map (FLUM) Designation. The 0.13 acre site is located on the east side of NE 3rd Avenue between NE 3rd Street and NE 4th Street. A 20 ft. alley, known as Artists Alley, is located to the east of the property. The site is presently vacant; the original building was recently demolished and was used as an office and warehouse.

Project Description:

The development proposal consists of the following:

- Construction of a 3,759 sf. three-story, mixed-use building containing a 1,225 sf. restaurant on the first floor, and two residential units (one 1,120 sf one-bedroom unit, and one 1,220 sf. two-bedrooms unit) occupying the second and third level.
- Construction of a free-standing 52 spaces automated parking garage.
- Site improvements including, landscape, lighting, and impervious surface.

A waiver to LDR Section 4.6.16(H)(3)(d), is requested to eliminate the 5' minimum required landscape buffer between vehicular areas and the abutting property.

Site Plan Analysis:

The following items identified in the Land Development Regulations shall specifically be addressed by the Site Plan Review and Appearance Board (SPRAB) for final action on the site and development applications/requests, as presented.

Permitted Uses

Pursuant to Figure 4.4.13-7 (Railroad Corridor Sub-district Regulating Plan), NE 3rd Avenue is not shown as a Primary Street. Streets not designated as Primary Streets are considered Secondary Streets, which can accommodate service functions and vehicular-oriented development needs, including parking, loading, and drive-through facilities.

Pursuant to Table 4.4.13(A), Allowable Uses in the CBD Sub-Districts, restaurant, multiple-family dwellings are permitted principal uses. Per LDR Section 4.4.13(C)(4)(d)3, Automated Parking Garage Structures are permitted principal structures within the Railroad Corridor Sub-district when located along Secondary Streets north of NE 2nd Street. Automated Parking Garages are subject to the following requirements:

- a) **A traffic statement must be provided detailing the ingress, egress, queuing, and circulation demonstrating the specific measures taken to minimize stacking onto public right-of-way resulting from the automated parking garage.** The proposed structure was designed with ingress and egress access from the alley to eliminate impacts into NE 3rd Avenue. The traffic statement provided explains how the machine system operates, trip generation, and indicates that no adverse stacking impacts onto the alley are anticipated.
- b) **An attendant must be on-site during all hours of operation, defined as any time the parking garage is accessible for parking purposes by the public and the garage must be secured when not accessible for parking purposes. An attendant is not required if the parking garage is limited to private use, i.e. not available to the general public.** A note is included on the plans stating that an attendant will be on-site at all times the garage is open to the public. The



garage will be secured with 4 ft. high drop-down gates when not in use. All patrons will have access to the garage during regular operating hours, and residents shall have a key for access.

- c) **Projects with driveways that limit the ability to install the required number of street trees shall either provide the required trees at another location on site or contribute to the Tree Fund, in accordance with the fee schedule in Section 4.6.19(E)(5)(d).** This requirement is not applicable for this project as the streetscape standards which includes street trees are not applicable for alleys.
- d) **The SPRAB may approve automated parking garages that utilize an alternative façade design or cladding materials provided photovoltaic cells (solar panels) are incorporated into the structure and used as a power source for the garage operations or uses associated with the automated parking garage; if solar panels are not incorporated, facades that do not meet the architectural standards in Section 4.4.13(F) require City Commission approval.** Solar panels are incorporated into the structure roof top, as shown on sheet A-4, as a power source for the garage operations. The proposed automated parking garage façade design incorporates metal panels attached to the structure, as an alternative façade design. The façade design is further analyzed in the Architectural Elevation Analysis section of this report.

Dimensional Requirements by CBD Sub-district:

Pursuant to Table 4.4.13(C), the following dimensional requirements are applicable to properties within the Railroad Corridor Sub-District:

Standard	Required	Proposed
Lot Width	20 ft. min.	84 ft.
Lot Area	2,000 sf. min.	5,635 sf.
Front Setback (NE 3 rd Ave)	10 ft. min/15 ft. max.	10 ft.
Front Setback above 3 rd story	20 ft.	N/A
Interior Side Setback (south)	0 ft. min.	1 in.*
Interior Side Setback (north)	0 ft. min.	2 in.*
Rear Setback (Alley)	10 ft. min.	10 ft.
Maximum Height	4 Stories & 54 ft.	37 ft.
Density	*30 du/ac (maximum)	15.38 du/ac (2 units proposed)
Ground Story Height	12 ft. min.	12 ft. 4 in
Upper Story Height	9 ft. min.	12 ft.
Civic Open Space (sites <20,000 sq.ft.)	0%	N/A

**No windows face the adjoining lot lines.*

Frontage Standards, Minimum Streetscape Width

Pursuant to **LDR Section 4.4.13(E)(2)(a)**, the combination of public sidewalk (located within the right-of-way) and hardscape (located in front setback areas) shall provide a minimum streetscape area no less than fifteen feet (15') in width, measured from the back of curb. The streetscape area shall be organized as follows:

Streetscape Standards	Minimum Standard
Curb Zone	4'-0"
Pedestrian Zone	6'-0"
Remaining Front Setback Area	5'-0"
Total Streetscape Width	15'-0"

The subject property has frontage along NE 3rd Avenue. A 5 ft. Perpetual Sidewalk Easement, as shown on the plans, is located along the front of the property. This easement was recently dedicated by the property owner for the construction of a sidewalk and other right-of-way improvements proposed by the Delray Beach Community Redevelopment Agency (CRA) as part of the NE 3rd Avenue Streetscape Improvements proposal. The proposed streetscape improvements are currently in the design stages pending review and approval by the City and the CRA. Given the uncertainty of the final design, it was determined by Staff that the subject



development is unable to provide an accurate and feasible streetscape area design along the front of the property until the NE 3rd Avenue Streetscape Improvements design is finalized and approved. As stated in the Note section of this report, the plans shall be revised prior to issuance of a building permit to include the final design of the streetscape area (including street trees) along the front of the property for staff review and approval.

Frontage Types

Pursuant to LDR Section 4.4.13(E)(4)(e), Frontage Types, Storefront, the storefront is a frontage type along sidewalk level of the ground story, typically associated with commercial uses. The table below, as regulated by **Table 4.4.13(I)**, provides the dimensional requirements for all elements contained in a storefront and identifies compliance with the requirements. :

Storefronts	Minimum Required	Maximum Allowed	Proposed
Building Setback	10'	15'	10'
Storefront Width	N/A	75' on Required Retail Street	N/A
Storefront Base	9"	3'	10"
Glazing Height	8'	---	8' – 2"
Required Openings	80%	----	88%
Awning Projection	3'	----	N/A

Architectural Standards

Pursuant to LDR Section 4.4.13(F), Architectural Standards, the following requirements are applicable:

Standard	Met	Not Met	Notes:
Façade Composition			
Building Articulations	Yes	---	A 3:2 ratio is expressed, as depicted on page A6.1
Tripartite Composition	Yes	---	Base, Middle, and Top have been clearly expressed, as depicted on page A6.1
Visual Screenings	Yes	---	A mural is proposed to screen the west/front blank wall located in front of the garage
Façade Composition Compliance	Yes	----	See page A6.1
Appropriate Architectural Styles	Yes	----	Style: Masonry Modern
Walls	Yes	---	Material: Stucco
Treatment of Blank Walls	Yes	---	Design Treatment: There are no blank walls facing a R/W associated with the mixed-use building
Openings	Yes	---	
20% - 75% Transparency on each floor	Yes	---	60% of transparent windows are provided on the first, 22 on the second floor and 22 on the third floor.
Clearly defined public entrance	Yes	---	Two swing doors provide access to the restaurant space along the west/front façade.
Roofs	Yes	---	Flat roof screened with parapet, consistent with architectural style.
Elements			
Maximum of four base wall colors	Yes	---	3 colors proposed: Trout Gray, Deep Silver, Seattle Gray
Mechanical Elements and Equipment	N/A	---	N/A
Free standing appurtenances	Yes	---	Dumpster screening and other equipment appropriately screened.
Reduction of Urban Heat Islands	Yes	---	See note on page A4
Green Building Practices	N/A	---	N/A (Less than 50,000 sf.ft.)



Parking Requirement

Pursuant to **Table 4.4.13(L)**, restaurants not in the Atlantic Avenue Parking District, shall provide 6 spaces per 1,000 square feet of gross floor area. The subject 1,225 gross sf. (excludes outside areas) restaurant space is required to provide 7.35 spaces (1,225 x 6 /1,000 = 7.35). Residential dwellings with two or more bedrooms are required to provide 1.75 spaces per unit, dwellings with one bedroom are required to provide 1.25 spaces per unit, and 0.50 spaces of guest spaces per unit (a total of 4 spaces required). Therefore, 11 parking spaces are required (7.35 + 4 = 11.35 rounded down to 11). The Automated Parking Garage provides 52 spaces on-site. Therefore, this minimum number of required parking spaces on-site is met and a surplus of 41 spaces will be provided.

Alternative Fuel Parking Spaces are also required, pursuant to Table 4.4.13(L) at a rate of 3% of required parking spaces for commercial uses. Given the percentage required of the total amount of parking spaces, this development is not required to provide charging station for electric vehicles. However, the applicant stated that the system is designed to accommodate electric charging of vehicles.

Accessible Parking Spaces

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, a total of 3 accessible parking spaces is required for a total number of parking spaces provided between 51 and 75. The applicant stated that the attendant shall assist handicap users when parking the vehicle. Thus, this requirement is met.

Bicycle Parking

Pursuant to LDR Section 4.4.13(I)(4) residential uses shall provide 1 bicycle space per two units, and restaurant uses two spaces per 1,000 sq.ft. The proposed development requires 3 bicycle parking spaces; a bike rack of a typical design is proposed at the rear of the property adjacent to landscape area which holds 3 bicycles. Thus, this requirement is met.

Refuse Enclosure

The trash enclosure is located in the rear of the building, with pick up from the alley and accommodates four roll-out bins for trash and recycling facilities. Pursuant to LDR Section 4.6.6(C)(1), dumpsters, recycling containers and similar service areas must be enclosed on three (3) sides with vision obscuring gates on the fourth side, unless such areas are not visible from any adjacent public right-of-way. A 5 ft. 4 in. high aluminum gate is proposed to enclose the refuse area located within the building facing the alleyway. A statement was provided from Waste Management indicating that additional trash pick-up days can be scheduled if required based on the restaurant and residential units demand. The dumpster enclosure on page A5 indicates that this requirement has been met.

Lighting

Pursuant to LDR Section 4.6.8, on-site lighting must be provided and be consistent with the minimum and maximum foot candle illumination level requirements. The details provided indicate that wall and ceiling mounted light fixtures will be installed. These fixtures shall be sharp cutoff luminaries, shall confine the light to the site only. Section 4.4.13(J)(1)(c) states that development on property alongside an alley shall provide street lights as set forth in Section 6.1.5. During building permit application, a bond for alley lighting will be assessed and a deposit shall be submitted by the applicant prior to issuance of a building permit. This matter is listed under the notes section of the report. The chart below demonstrates compliance with the minimum acceptable standards for lighting of building entrance parking lot, and accent pathway pursuant to LDR Section 4.6.8(B)(3)(c):

Photometric Plan	Requirements		Proposed	
	Minimum (fc)	Maximum (fc)	Minimum (fc)	Maximum (fc)
Building Entrances	1.0	10.0	1.1	5.4
Parking Lot/Driveway	1.0	10	1.9	5.6

Green Building Requirements:

LDR Section 4.4.13(F)(9), contains standards to reduce urban heat islands for both roofed and non-roofed areas of development within the CBD. The applicant has specified that a high reflective white coating will be applied to 100% of the roof area. A total of 37.5 % of the garage roof area will be covered with solar panels which will shade the roof.



Landscape Analysis:

The landscape plan submitted has been evaluated by the City Landscape Senior Planner. The proposed landscaping is located at the rear of the property and consists of a Pigeon Plum tree and the proposed ground cover is *Microsorium Scolopendria* (Wart Fern). The required street trees at the front of the property are required to be provided by the applicant or a deposit shall be made into the Tree Trust fund if the required trees are to be included in the NE 3rd Avenue Streetscape Improvements. A Landscape Maintenance Agreement shall be accepted by the City Commission and recorded prior to certification of the plans as a portion of the landscape area along the east/rear side of the property is located within the alley right-of-way.

A waiver has been requested to LDR Section 4.6.16(H)(3)(d), which requires that a landscaped barrier be provided between off-street parking and abutting properties. Upon approval of this waiver request, the proposed landscape plan will be deemed compliant with LDR Section 4.6.16. The waiver is analyzed in the following section.

Landscape Buffer – Waiver Request:

The applicant has requested a waiver to LDR Section 4.6.16(H)(3)(d), which requires that a landscaped barrier be provided between off-street parking and abutting properties. The landscape barrier may be 2' high at the time of planting and be maintained at not less than 3' in height. The 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 5 feet in width that is free of any vehicular encroachment, including car overhang.

LDR Required Findings:

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.

The applicant's Waiver Justification is as follows:

"We are requesting a waiver to eliminate the need for a landscape barrier due to the dimensional restrictions of the site and need for vehicular access to the automated parking structure, this request would not diminish the character of the district."

The required landscaping barrier is not proposed between the driveway to the north, which provides access to the garage, and the vehicular area to the south located adjacent to the refuse enclosure.

The granting of the subject waiver will not adversely affect the neighboring area as the area under consideration is located adjacent to the alley. It is not anticipated that the absence of landscape barriers on both sides of the property will diminish the provision of public facilities or create an unsafe situation. The same waiver consideration has been granted to other projects with narrow lots within the City's downtown, particularly where there is no open space requirement and adjacent to an alley.

Architectural Elevations Analysis

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 (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 proposed three-story building architectural design is Masonry Modern. The proposed design meets the architectural design



guidelines applicable to this style in the CBD. The west/front elevation ground floor level, where the restaurant will be located, proposes accordion glass doors that open into the front setback facing NE 3rd Avenue. Accordion doors provide a continuous transition between the indoor commercial use and the outdoor area along the streetscape and are often utilized by restaurant uses in the downtown area. The front and rear elevations incorporate vertical windows with covered balconies overhanging into the setback. The two residential units will have access through the set of stairs located internal to the property between the parking structure and the three-story building. The flat roof includes a parapet and metal roof panel to screen the roof equipment from being visible from the adjacent public streets. The proposed metal screen shall be opaque and fully screen the roof equipment. The exterior finish is stucco, the balcony railings are metal, and three exterior colors are proposed: Trout Gray, Deep Silver, and Seattle Gray.

Pursuant to LDR Section 4.4.13(C)(4)(d)3, the SPRAB may approve an alternative façade for Automated Parking Garages that deviates from the CBD architectural standards in Section 4.4.13(F) when solar panels are incorporated into the structure as a power source for the garage operations. The front (west elevation) garage ground floor level and the east interior elevation consists of an 8 ft. high concrete wall; a white and green color mural illustrating green grass with ants climbing the south side of the wall is proposed to provide interest to the blank wall. During technical review of the proposal, Staff indicated that the proposed garage ground level design had the opportunity to introduce attractive, decorative architectural elements to buffer the garage structure along the ground level. The intent of suggesting an alternative design, instead of the proposed concrete wall, is to enhance the pedestrian experience and have a more cohesive, harmonious transition between the restaurant storefront (under construction across the street at 324 NE 3rd Avenue) and the other adjacent properties. The applicant stated the following:

“Storefront on the mixed-use building and the two graphic panels at the ground floor level of the parking structure shall compliment the pedestrian experience, since the storefront area and the panels are of similar size and scale breaking them down into three panels solid and void of a scale that a pedestrian would be in scale, graphics are proposed on the white stucco solid panels to farther soften the hardscape and continue the dialog with the Bedner’s Farmers Market building down the street.”

The proposed automated parking garage exterior surface incorporates translucent, metal panels with variations in size and color (same color scheme as the building facade). The panels overlay each other to create a solid screen with gaps between them; one of the panels along the second level provides a continuousness linear design that connects the garage façade and the mixed-use building.

Findings Analysis:

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, the staff report, or minutes. Findings shall be made by the body which has the authority to approve or deny the development application. These analysis of findings relate to the following four areas.

FUTURE LAND USE MAP: The use or structures must be allowed in the zoning district and the zoning district must be consistent with the land use designation.

The subject property has a Future Land Use Map designation of CC (Commercial Core), and a zoning designation of CBD, and is located within the Railroad Corridor Sub-district. The CBD zoning is consistent with the Commercial Core FLUM designation. Pursuant to Table 4.4.13(A), Allowable Uses in the CBD Sub-Districts, in the Railroad Corridor, include restaurants and multiple-family dwellings as a principal use. Automated Parking Garage Structures are permitted principal structures within the Railroad Corridor Sub-district when located along Secondary Streets north of NE 2nd Street. Therefore, a positive finding can be made with respect to consistency with the Future Land Use Map (FLUM) designation.

CONCURRENCY: Facilities which are provided by, or through, the City shall be provided to new development concurrent with issuance of a Certificate of Occupancy. These facilities shall be provided pursuant to levels of service established within the Comprehensive Plan.

Refer to Appendix A, as it relates to water, sewer, streets and traffic, parks and recreation, and solid waste.

CONSISTENCY: Compliance with performance standards set forth in Chapter 3 and required findings in Section 2.4.5(F)(5) for the request shall be the basis upon which a finding of overall consistency is to be made. Other objectives and policies



found in the adopted Comprehensive Plan may be used in making a finding of overall consistency.

A review of the objectives and policies of the adopted Comprehensive Plan was conducted, and the following applicable objective was found:

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.

There are no unique conditions in terms of soil, topography or physical considerations to the land that would be negatively impacted by its development. The proposed infill development will line the street with an active restaurant use to activate the street and improve the pedestrian experience so desired in the CBD. The proposed Automated Parking Garage will provide additional parking options for the neighborhood.

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

In the CBD, Bicycle Parking requirements are applied to new development, expansion of an existing use, and changes of use. The proposed project has provided racks to accommodate three bicycle parking spaces for the two residences and proposed restaurant.

COMPLIANCE WITH THE LAND DEVELOPMENT REGULATIONS (LDRs): Items identified in the Land Development Regulations shall specifically be addressed by the body taking final action on the site and development application/request.

Refer to the Analysis sections of this report, regarding compliance with the LDRs.

LDR 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 following table indicates the zoning and land use of the properties surrounding the subject parcel:

	<u>Zoning Designation:</u>	<u>Use:</u>
North	CBD	Office/ Arts Studio
South	CBD	Warehouse
East	CBD	Studio/Gallery/ Warehouse / Arts and Cultural Facility (CRA Warehouse)
West	CBD	Under construction/ restaurant personal service and office uses

This industrial section of the CBD is located within the Pineapple Grove Main Street District. The subject property is located between NE 3rd Avenue and the Artists Alley. The intent of the Pineapple Grove Main Street District is to introduce and incentivize cultural art in a historic presence by capturing the essence of the downtown and its active environment. This area of the CBD is characterized by a mix of commercial and industrial businesses and art related uses. The proposed development and the recent approved development across the street under construction (324 Lofts located at 324 NE 3rd Avenue), contribute to the fabric change of the area and transition from a warehouse, small scale development into a larger scale, with pedestrian oriented uses.

Review by Others:

At the meeting of October 28, 2019, the **Public Arts Advisory Board** will review the mural proposal and provide a recommendation. If a recommendation of denial is provided, the mural proposal shall be reconsidered by the SPRAB again.

At the meeting of June 10, 2019, the **Downtown Development Authority (DDA)** reviewed the development proposal and recommended approval.

At the meeting of June 26, 2019, the **Pineapple Grove Main Street (PGMS)** reviewed the development proposal and recommended



approval.

Courtesy notices have been provided to the following organizations that have requested notice of developments in their areas:

- Del-Ida Park Historic District Homeowner's Association
- Delray Beach Chamber of Commerce



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:

Water Service will be provided by a new extension to the proposed water main to be constructed as part of the NE 3rd Avenue Streetscape Improvements. Sewer Service is available via an existing 8” sewer main within NE 3rd 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.

Streets and Traffic: It is noted that the site is located within the City’s Transportation Concurrency Exception Area (TCEA), which encompasses the CBD and OSSHAD zoning districts. The TCEA exempts the above-described areas from complying with the Palm Beach County Traffic Performance Standards Ordinance. Therefore, a traffic study is not required for concurrency purposes; however, a Trip Generation Analysis was prepared which indicates that the proposed development will result in an additional 93 net new daily vehicle trips, 8 net new AM peak hour trips, and 9 net new PM peak hour trips. A letter from the Palm Beach County Traffic Division indicating that the project meets the Traffic Performance Standards of Palm Beach County was provided.

Parks and Recreation Facilities: Pursuant to LDR Section 5.3.2, a park impact fee of \$500.00 per each new dwelling unit (\$1,000 total) will be collected prior to issuance of a building permit.

Solid Waste:

Restaurant Space: 1,225 sq. ft. x 24.9 lbs. = 30,508 lbs. /2,000 = 15.25 tons per year
Residential Dwellings: 2,340 sq. ft. total x 0.8 lbs. = 1,872 lbs. /2,000 = 0.94 tons per year

The proposed development will generate 16.19 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.

Drainage: Drainage will be accommodated on site via an existing retention area and new and existing exfiltration trenches.



APPENDIX "B" - STANDARDS FOR SITE PLAN ACTIONS Sec. 3.2.3 (A) through (J)

- 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
 - 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
 - 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
 - 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
 - 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
 - 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
 - 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
 - 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
- 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
- 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
- Meets intent of standard
- Does not meet intent