



Planning, Zoning and Building Department

BOARD ACTION REPORT – APPEALABLE ITEM

Project Name: 32 East Atlantic Avenue
Project Location: 32 East Atlantic Avenue, Old School Square Historic District
Request: Class III Site Plan Modification and Certificate of Appropriateness
Board: Historic Preservation Board
Meeting Date: March 7, 2018

Board Action:

Approved the Class III Site Plan Modification and COA for alterations to the front façade (North), and installation of a 160 square foot, outdoor, walk-in cooler to an existing historic structure located at 32 East Atlantic Avenue (6 to 0 vote).

Project Description:

The subject property is located within the OSSHAD (Old School Square Historic Arts District) zoning district; Central Business District (CBD) zoning overlay and consists of the West 23.33' of Lot 2, Less the South 14'; and East 21.67' of Lot 3, Less the South 14', Block 69, Town of Delray. Built in 1948, the Masonry Vernacular style structure was designed in the simple Streamline Moderne style with a recessed entrance, which was a popular feature of the style as it provided shelter for pedestrians.

In 1996, the building underwent a façade renovation associated with the conversion of the existing retail use (Polly Noe Antiques) to restaurant use (Avenue Bar and Grille/32 East Restaurant). On June 19th, 1996 the Historic Preservation Board (HPB) approved a development proposal for a 2,065 square foot addition (1,783 square foot ground floor area and 282 square foot 2nd floor area) to the existing 5,504 square foot two-story structure. The overall square footage for the structure was now 7,569 square feet. At the time the parking requirements for the restaurant conversion only applied to the new floor area; and changes in use (both residential and non-residential) were not required to provide on-site parking. Based on the above, the 2,065 square foot restaurant addition required 6 parking spaces. Two parking spaces were provided for on-site in the rear/south side of the property and 4 spaces were purchased via a November 1996 City Commission approved in-lieu of parking request (\$6,000 per space for a total of \$24,000).

The structure is classified as noncontributing to the Old School Square Historic District. The 2009 Old School Square Historic District Resurvey recommended that the subject property be reclassified as contributing, as the Period of Significance was being expanded to include those eligible resources constructed between 1944 and 1965. However, the owner requested that the subject property not be reclassified. Upon adoption of Ordinance 10-10 on June 1, 2010, the Period of Significance for the Old School Square Historic District was expanded to 1965, and 10 of the properties that were recommended for reclassification were not reclassified to contributing, including the subject property, because the property owners elected to “opt-out” of this process.

In 2010, a Class IV Site Plan Modification (2010-218) for the conversion of a 241 square foot 2nd floor balcony was approved at the December 1, 2010, HPB meeting. An additional parking space was required for the conversion; this space was provided for through the in-lieu option (City Commission approved in November of 2010). The overall square footage for the structure was now 7,810 square feet. The conditions of approval imposed by the HPB included a Hold Harmless Agreement for the portion of the balcony structure to extend over the property line and into the public air space which comprises part of the city’s right of way. The agreement was executed on

Appealable Item Report

February 11, 2013. Three waiver requests associated with the site plan modification were approved by the City Commission at its meeting of February 15, 2011.

The current proposal includes alterations to front façade (North) with new exterior materials (awning, wood planter boxes, windows, doors, railing, and light fixtures). Exterior color changes to Benjamin Moore “Black Ink” moldings, Benjamin Moore “Incense Stick” railing, and Benjamin Moore “Avon green” planter boxes. Exterior finishes include white cracked tile on the first floor and herringbone brick pattern on the second floor. Installation of a new 160 square foot walk-in cooler in the rear (South) of the property and reconfiguration of existing water heaters, water tanks, can wash, dumpster enclosure and grease recovery system is also proposed.

Staff supported the Certificate of Appropriateness request.

Board Comments:

The Board comments were supportive.

Public Comments:

No members of the public spoke for or against the project.

Associated Actions: All required actions were taken.

Next Action: HPB action is final.

HISTORIC PRESERVATION BOARD

CITY OF DELRAY BEACH

STAFF REPORT

MEETING DATE: March 7, 2018

ITEM: 32 East Atlantic Avenue, Old School Square Historic Arts District – Class III Site Plan Modification and Certificate of Appropriateness (2018-004) for alterations to the front façade (North), and installation of a 160 square foot, outdoor, walk-in cooler.

RECOMMENDATION: Approve the Class III Site Plan Modification and Certificate of Appropriateness

GENERAL DATA:

Owner:..... Goco, Inc. and Bright Horizons Inv Corporation

Agent:..... Jose E. Torres, Slattery & Associates

Location:..... South side of East Atlantic Avenue, between South Swinton Avenue and SE 1st Avenue

Property Size:..... 0.14 Acres

Historic District: Old School Square Historic Arts District (OSSHAD)

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

Adjacent Zoning:.....
 North: OSSHAD
 East: OSSHAD
 South: OSSHAD
 West: OSSHAD

Existing Future Land Use Designation:..... Other Mixed Use (OMU)

Water Service:..... Public water service is provided on site.

Sewer Service:..... Public sewer service is provided on site.



ITEM BEFORE THE BOARD

The item before the Board is approval of Class III Site Plan Modification and Certificate of Appropriateness (2018-004) for alterations to the front façade (North), and installation of a 160 square foot, outdoor, walk-in cooler for the property located at **32 East Atlantic Avenue, Old School Square Historic Arts District**, pursuant to LDR Section 2.4.6(H).

BACKGROUND

The subject property is located within the OSSHAD (Old School Square Historic Arts District) zoning district; Central Business District (CBD) zoning overlay and consists of the West 23.33' of Lot 2, Less the South 14'; and East 21.67' of Lot 3, Less the South 14', Block 69, Town of Delray. Built in 1948, the Masonry Vernacular style structure was designed in the simple Streamline Moderne style with a recessed entrance, which was a popular feature of the style as it provided shelter for pedestrians.

In 1996, the building underwent a façade renovation associated with the conversion of the existing retail use (Polly Noe Antiques) to restaurant use (Avenue Bar and Grille/32 East Restaurant). On June 19th, 1996 the Historic Preservation Board (HPB) approved a development proposal for a 2,065 square foot addition (1,783 square foot ground floor area and 282 square foot 2nd floor area) to the existing 5,504 square foot two-story structure. The 7,569 total square foot approved floor plan accommodated a dining area, bar, waiting room, kitchen and mechanical room on the 1st floor and a dining area, restrooms, office, mechanical and storage rooms on the 2nd floor.

At the time the parking requirements for the restaurant conversion only applied to the new floor area; and changes in use (both residential and non-residential) were not required to provide on-site parking. The parking required for the creation of new non-residential floor area was at the rate of 1 space per 300 square feet or fraction thereof and changes in use were allowed a one-time one-space parking reduction. Based on the above, the 2,065 square foot restaurant addition required 6 parking spaces. Two parking spaces were provided for on-site in the rear/south side of the property and 4 spaces were purchased via a November 1996 City Commission approved in-lieu of parking request (\$6,000 per space for a total of \$24,000).

In 2006, an administrative approval was granted for a COA (2006-374) to replace the existing awnings with new awnings.

In 2007, administrative approval was granted for a Class I Site Plan Modification (2007-329) to replace the second story casement windows on the front façade. The original design consisted of eight-light casements with a two-light transom above. The replacement windows replicated the original configuration with ten-lights in each window, but were fixed, as opposed to casement.

The structure is classified as noncontributing to the Old School Square Historic District. The 2009 Old School Square Historic District Resurvey recommended that the subject property be reclassified as contributing, as the Period of Significance was being expanded to include those eligible resources constructed between 1944 and 1965. However, the owner requested that the subject property not be reclassified. Upon adoption of Ordinance 10-10 on June 1, 2010, the Period of Significance for the Old School Square Historic District was expanded to 1965, and 10 of the properties that were recommended for reclassification were not reclassified to contributing, including the subject property, because the property owners elected to "opt-out" of this process.

At its meeting of January 6, 2010, the HPB approved a Class I Site Plan Modification (2010-066) to replace the existing exterior awning with a more permanent structure supported by metal stilts.

In 2010, a Class IV Site Plan Modification (2010-218) for the conversion of a 241 square foot 2nd floor balcony was approved at the December 1, 2010, HPB meeting. An additional parking space was required for the conversion; this space was provided for through the in-lieu option (City

Commission approved in November of 2010). The overall square footage for the structure was now 7,810 square feet. The conditions of approval imposed by the HPB included a Hold Harmless Agreement for the portion of the balcony structure to extend over the property line and into the public air space which comprises part of the city's right of way. The agreement was executed on February 11, 2013. Three waiver requests associated with the site plan modification were approved by the City Commission at its meeting of February 15, 2011:

1. Waiver to LDR Section 4.4.13(F)(4)(a)2., Central Business District, Development Standards, to allow a two inch (2") setback for the balcony columns and a three foot (3') setback for the high top counter area, where a five foot (5') setback is required, based upon positive findings of LDR Section 2.4.5(B)(5).
2. Waiver to Section 4.4.13(F)(4)(a)2., Central Business District, Development Standards, to allow a two-story, arched entry feature within the required five foot (5') setback area, based upon positive findings of LDR Section 2.4.5(B)(5).
3. Waiver to LDR Section 4.4.13(F)(8), Central Business District, Development Standards, to allow a five foot (5') front setback encroachment for a balcony, where a four foot (4') encroachment is permitted, based upon positive finding of LDR Section 2.4.5(B)(5).

In 2014, administrative approval was granted for a Class I Site Plan Modification (2014-207) to install fabric awnings for the 2nd floor balcony dining area.

The subject Class III Site Plan Modification and COA request include:

1. Alterations to front façade (North) with new exterior materials including: awning, wood planter boxes, windows, doors, railing, and light fixtures.
2. Exterior color changes to Benjamin Moore "Black Ink" moldings, Benjamin Moore "Incense Stick" railing, and Benjamin Moore "Avon green" planter boxes. Exterior finishes include white cracked tile on the first floor and herringbone brick pattern on the second floor.
3. Reconfiguration of existing water heaters, water tanks, can wash, dumpster enclosure and grease recovery system.
4. Installation of a new 160 square foot walk-in cooler in the rear (South) of the property.

ANALYSIS OF SITE PLAN

Pursuant to LDR Section 3.1.1(D), Compliance with LDRs, whenever an item is identified elsewhere in these Land Development Regulations (LDRs), it shall specifically be addressed by the body taking final action on a land development application/request. The applicable LDRs have been identified and reviewed throughout this report.

Article 4.4, Base Zoning District Regulations

Pursuant to LDR Section 4.4.24(B), Principal Uses and Structures, Restaurants are a permitted use within the Old School Square Historic Arts District (OSSHAD) and the CBD overlay. The proposed 160 square foot outdoor cooler associated with the existing restaurant is permitted.

Pursuant to LDR Section 4.4.13(I)(2)(a), Minimum Number of Off-Street Parking Spaces Required in the CBD, the minimum number of parking spaces required in Section 4.6.9(C) (Number of Parking Spaces Required) is modified by this section for use in the CBD. Parking for restaurants located within the Atlantic Avenue Parking District is required at a rate of 12 spaces per 1,000 square feet of gross floor area for the first 6,000 square feet plus 15 for each additional 1,000 square feet.

The proposed 160 sq. ft. outdoor cooler requires 2 additional parking spaces. At its meeting of February 20th, the City Commission approved an In Lieu of Parking request for the purchase of 2 parking spaces; therefore, this requirement has been met.

Article 4.6, Supplemental District Regulations

Pursuant to LDR Section 4.6.6(C)(1), dumpsters, recycling containers and similar service areas must be enclosed on three sides with vision obscuring gates on the fourth side, unless such areas are not visible from any adjacent public right-of-way.

This requirement has been met as adequate facilities exist within refuse container and can wash enclosure areas in the rear of the subject property with access to the east/west alley. It is noted that the new restaurant owner plans on modernizing these areas.

Site Plan Technical Items

While the revised site plan is adequate for review, the following site plan technical items still remain outstanding, and will need to be addressed prior to site plan certification and permit issuance:

1. In the site data table, on sheet A101, reorganize table to include columns for required, existing, and proposed setback, height, open space, pervious/impervious, etc.
2. In the site data table, on sheet A101, revise the land use designation to OMU (Other Mixed Use).
3. Provide height dimension of the screening of mechanical equipment on top of walk-in cooler on elevation drawings.
4. Submit a revised NOA for the Nana Wall System to correlate with the elevation drawings.

SECTION 4.5.1 HISTORIC PRESERVATION DISTRICTS AND SITES

Pursuant to Land Development Regulation (LDR) Section 2.4.6(H)(5), prior to approval, a finding must be made that any Certificate of Appropriateness which is to be approved is consistent with Historic Preservation purposes pursuant to Objective A-4 of the Land Use Element of the Comprehensive Plan and specifically with provisions of Section 4.5.1, the Delray Beach Historic Preservation Design Guidelines, and the Secretary of the Interior's Standards for Rehabilitation.

LDR SECTION 4.5.1, HISTORIC PRESERVATION, DESIGNATED DISTRICTS, SITES, AND BUILDINGS

Pursuant to LDR Section 4.5.1(E) - Development Standards: all new development or exterior improvements on individually designated historic properties and/or properties located within historic districts shall, comply with the goals, objectives, and policies of the Comprehensive Plan, the Delray Beach Historic Preservation Design Guidelines, the Secretary of the Interior's Standards for Rehabilitation, and the Development Standards of this Section.

Standard 2

The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

Standard 9

New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

The alterations to the front façade include new nana doors (bi-fold glass wall door systems), wood entry door with glass panels and sidelights, new exterior light fixtures, white cracked tile on the first floor, herringbone brick pattern on the second floor, wood planter boxes along the second floor railing, architectural crown feature at the top of building with soldier brick pattern below, awning, and railing. The exterior color scheme will be changed to Benjamin Moore "Black Ink" moldings, Benjamin Moore "Incense Stick" railing, and Benjamin Moore "Avon green" planter boxes. The spaces that characterize the property are being preserved by maintaining outdoor seating on the

first floor and the balcony on the second floor. The front façade alterations are compatible with the massing, size, scale, and architectural features in the Old School Square Historic District (OSSHD).

The proposal meets the applicable standards noted above and their intent as the proposed changes ensure appropriate alterations to the front façade (North) of the historic structure. Overall, the proposed changes protect the historic integrity of the existing structure and its environment by allowing modernization of the structure with durable materials.

Pursuant to LDR Section 4.5.1(E)(2)(c)(2) – Minor Development.

The subject application is considered “Minor Development” as it involves modification to an existing non-contributing structure in the OSSHD district which is subject to CBD regulations.

Pursuant to LDR Section 4.5.1(E)(7) - Visual Compatibility Standards: new construction and all improvements to both contributing and noncontributing buildings, structures and appurtenances thereto within a designated historic district or on an individually designated property shall be visually compatible. In addition to the Zoning District Regulations, the Historic Preservation Board shall apply the visual compatibility standards provided for in this Section with regard to height, width, mass, scale, façade, openings, rhythm, material, color, texture, roof shape, direction, and other criteria set forth elsewhere in Section 4.5.1. Visual compatibility for minor and major development as referenced in Section 4.5.1(E)(2) shall be determined by utilizing criteria contained in (a)-(m). Visual compatibility for all development on individually designated properties outside the district shall be determined by comparison to other structures within the site.

Applicable Visual Compatibility Standards

- (a) **Height**: The height of proposed buildings or modifications shall be visually compatible in comparison or relation to the height of existing structures and buildings in a historic district for all major and minor development. For major development, visual compatibility with respect to the height of residential structures, as defined by 4.5.1(E)(2)(a), shall also be determined through application of the Building Height Plane.
- (b) **Front Facade Proportion**: The front facade of each building or structure shall be visually compatible with and be in direct relationship to the width of the building and to the height of the front elevation of other existing structures and buildings within the subject historic district.
- (c) **Proportion of Openings (Windows and Doors)**: The openings of any building within a historic district shall be visually compatible with the openings exemplified by prevailing historic architectural styles of similar buildings within the district. The relationship of the width of windows and doors to the height of windows and doors among buildings shall be visually compatible within the subject historic district.
- (g) **Relationship of Materials, Texture, and Color**: The relationship of materials, texture, and color of the facade of a building and/or hardscaping shall be visually compatible with the predominant materials used in the historic buildings and structures within the subject historic district.
- (l) **Architectural Style**: All major and minor development shall consist of only one (1) architectural style per structure or property and not introduce elements definitive of another style.

The proposed alterations to the front façade (North) and installation of a 160 square foot, outdoor, walk-in cooler are appropriate and compatible with the Old School Square Historic Arts District (OSSHAD). The alterations to the front façade will increase the height of the building from 24'-4" to 26'-2", these changes will not substantially alter the existing proportion and will maintain a height that is visually compatibility to other buildings in the historic district. The new windows and doors on

the front façade will modify the existing proportion of openings. On the first floor, nana doors (bi-fold glass wall door systems) are being proposed which require larger openings than the existing windows and doors. A wood entry door with glass panels and sidelights on the left side of the door are also being proposed. On the second floor, nana doors are proposed in a different configuration than existing windows and doors. In addition, a new round window is used on the left side of the second floor. These changes are visually compatible to other restaurants on East Atlantic Avenue that maximize visibility with large windows and glass panel doors. The alterations to the front façade include white cracked tile on the first floor, herringbone brick pattern of the second floor, wood planter boxes along the second floor railing, architectural crown feature at the top of building with soldier brick pattern below, exterior light fixtures, awning, and railing. The paint pattern will include Benjamin Moore "Black Ink" moldings, Benjamin Moore "Incense Stick" railing, and Benjamin Moore "Avon green" planter boxes. The relationship of the materials, texture, and color contribute to the "Old Delray Beach" feeling and atmosphere of the Old School Square Historic Arts District (OSSHAD). The proposal creates a cohesive design by introducing elements from only one architectural style.

The proposal meets the intent of the review criteria above; thus, positive findings are made with respect to the sections indicated above.

REQUIRED FINDINGS

Pursuant to LDR Section 2.4.5(G)(1)(c), Class III Site Plan Modification, a modification to a site plan which represents either a change in intensity of use, or which affects the spatial relationship among improvements on the land, requires partial review of Performance Standards found in LDR Sections 3.1.1, and 3.2.3, as well as required findings of LDR Section 2.4.5(G)(5).

Pursuant to LDR Section 2.4.5(G)(5), a finding that the proposed changes do not significantly affect the originally approved plan must be made concurrent with approval of a Class III modification.

The development proposal involves installation of a 160 square foot outdoor walk-in cooler to the rear of the existing restaurant use. Pursuant to LDR Section 2.4.5(G)(5), this minor modification does not significantly impact the previous findings; however, the applicable Future Land Use Map (FLUM) and Concurrency items as they relate to this development proposal are discussed below.

Pursuant to LDR Section 3.1.1 (Required Findings), prior to the approval of development applications, certain findings must be made in a form which is part of the official record. This may be achieved through information on the application, 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 Old School Square Historic Arts District (OSSHAD) and a Other Mixed Use (OMU) Future Land Use Map designation. Restaurant is allowed pursuant to LDR Section 4.4.24(B)(7) and 4.4.13 (CBD Overlay). Based upon the above, a positive finding can be made with respect to consistency with the Future Land Use Map (FLUM) designation.

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, and solid waste.

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 3.2.3).

LDR Section 3.1.1(D) - Compliance with the Land Development Regulations

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

Comprehensive Plan Policies

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

Future Land Use Objective A-1 Property shall be developed or redeveloped, in a manner so that the future use, intensity and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable goods and services; are complementary to and compatible with adjacent land uses; and fulfill remaining land use needs.

The development proposal involves the installation of a 160 square foot walk-in cooler to the rear of the existing restaurant use. This minor modification is consistent with the subject Objective. There are no concerns with respect to soil, topographic or other physical considerations. With respect to the adjacent land uses, the property is in an area surrounded by a mix of uses, primarily including commercial uses with residential uses located farther south and west. The property is in a mixed-use area zoned for both residential and office, as well as retail, restaurant, and other commercial uses. The proposal is appropriate and thereby consistent with the subject Objective.

Future Land Use Policy A-4.1 Prior to approval or recommending approval of any land use or development application for property located within a historic district or designated as a historic site, the Historic Preservation Board must make a finding that the requested action is consistent with the provisions of Section 4.5.1 of the Land Development Regulations relating to historic sites and districts and the “Delray Beach Design Guidelines”.

Although the structure is non-contributing, its commercial use is appropriate and assists in the maintenance and protection of the historic district. As indicated in this report, positive findings with respect to the LDRs have been made, more specifically to LDR Section 4.5.1, which provides the review criteria for properties within historic districts. As a result, the proposal is deemed to be consistent with the subject Objective and Policy.

REVIEW BY OTHERS

The proposed change of use is not in a geographic area requiring review by the Pineapple Grove Main Street (PGMS) nor the West Atlantic Redevelopment Coalition (WARC).

The Downtown Development Authority (DDA) reviewed and approved the request at its meeting on February 12, 2018.

The Community Redevelopment Agency (CRA) reviewed the request at its meeting of February 8, 2018 and the board had no comments.

ASSESSMENT AND CONCLUSION

The development proposal is for the installation of a 160 sq. ft. outdoor walk-in cooler associated with the existing restaurant as well as modifications to the façade of the building. Positive findings are made that the request is consistent with the Comprehensive Plan and meets criteria set forth in Sections 2.4.5(G)(5), 2.4.6(H)(5) and Chapter 3 of the Land Development Regulations.

ALTERNATIVE ACTIONS

A. Continue with direction.

B. Approve Class III Site Plan Modification and Certificate of Appropriateness (2018-004) for the property located at **32 East Atlantic Avenue, Old School Square Historic Arts District** by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Sections 2.4.5(G)(5) and 2.4.6(H)(5).

C. Deny Class III Site Plan Modification and Certificate of Appropriateness (2018-004) for the property located at **32 East Atlantic Avenue, Old School Square Historic Arts District** by finding that the request and approval thereof is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in LDR Sections 2.4.5(G)(5) and 2.4.6(H)(5).

RECOMMENDATION

Site Plan and COA

Approve the Class III Site Plan Modification and COA for 2018-004 for **32 East Atlantic Avenue, Old School Square Historic Arts District**, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof meets the criteria set forth in the Land Development Regulations Sections 2.4.5(G)(5) and 2.4.6(H)(5).

NOTES:

If the COA is approved, the following must be addressed prior to certification:

1. In the site data table, on sheet A101, reorganize table to include columns for required, existing, and proposed setback, height, open space, pervious/impervious, etc.
2. In the site data table, on sheet A101, revise the land use designation to OMU (Other Mixed Use).
3. Provide height dimension of the screening of mechanical equipment on top of walk-in cooler on elevation drawings.
4. Submit a revised NOA for the Nana Wall System to correlate with the elevation drawings.

Attachments:

- Appendix "A" – Concurrency Findings
- Appendix "B" – Consistency Findings & Standards for Site Plan Actions
- Site Plan/Floor Plan
- Survey
- Elevations

Report Prepared by: Michelle Hoyland, Principal Planner and Abraham Fogel, Assistant Planner

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 and sewer services are existing on site. Pursuant to the Comprehensive Plan, treatment capacity is available at the City's Water Treatment Plant and the South Central County Waste Water Treatment Plant for the City at build-out. Based upon the above, positive findings can be made with respect to this level of service standard.

Drainage:

There are no modifications to the footprint of the building and the existing drainage system will be maintained; thus, no impact on drainage are not anticipated as it relates to this level of service standard.

Traffic:

The applicant has provided a traffic statement from Pinder Troutman Consultants, Inc. A Traffic Performance Standards determination has been provided by Palm Beach County Traffic Division.

Eight new (net) trips will be generated by the proposed use, an increase of 1 net new external AM peak hour trips (0 in, 1 out) and an increase of 1 net new external PM peak hour trip (0 in, 1 out) on an average weekday when compared to the existing development. The site is located within the Delray Beach Transportation Concurrency Exception Area (TCEA); thus, the change of use will not significantly affect traffic circulation and will not negatively impact the neighborhood.

Parks and Recreation:

Non-residential uses are not considered to have an impact on the City's Parks and Recreation facilities.

Solid Waste:

The existing 7,913 sq. ft. retail/commercial use generated 98.51 tons of solid waste per year. Installation of the 160 sq. ft. outdoor walk-in cooler will generate 1.99 tons of solid waste per year; thus, the change of use will result in an increase of 1.99 tons of solid waste per year. The Solid Waste Authority has indicated that its facilities have sufficient capacity to handle all development proposals until the year 2046, thus a positive finding with respect to this level of service standard can be made.

Schools:

School concurrency findings do not apply for non-residential uses. Thus, the proposed development will not have an impact with respect to this level of service standard.

APPENDIX "B"
CONSISTENCY FINDINGS & 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 _____

*IN -LIEU FEES AS PER SECTION 4.6.9(E)(3)(b) DISTRICT MAP AREA 1
OFF STREET PARKING REGULATIONS SEC 4.6.9

(E) LOCATION OF PARKING SPACES

(3)(B)(1) In-Lieu fee. Subject to the limitations of this Section, new development, use conversion to existing buildings, building additions and/or renovations, that result in the requirement to provide new parking or additional parking, have the option of requesting some of the parking spaces to be approved by the City Commission through the payment in-lieu of parking program. Required parking for exclusively residential development or residential components of mixed use developments are not eligible for this in-lieu option. A maximum limit of 30 percent of eligible required parking can be provided under this option, except for use conversions for which there is no maximum. Before granting such approvals, the City Commission must find that adequate public parking options are available and that the request is consistent with the Land Development Regulations, City Comprehensive Plan, and all currently adopted City policies and/or studies. [Amd. Ord. 40-11 11/15/11]; [Amd. Ord. 21-11 8/2/11]; [Amd. Ord. 02-08 2/19/08]; [Amd. Ord. 74-04 1/18/05]; [Amd. 53-02 1/7/03]; [Amd. Ord. 4-99 2/2/99]; [Amd. Ord. 64-93 11/23/93]; [Amd. Ord. 14-93 2/9/93]

(4)(d) PUBLIC PARKING FEE Where adequate right-of-way exists adjacent to the proposed project for which the fee has been approved, the applicant must construct additional on-street parking, not to exceed the total amount of spaces subject to the fee unless authorized by the City Commission. The applicant will be credited up to one-half of a parking space for each full parking space constructed within public right-of-way. (For example, the applicant requests to pay the public parking fee on four spaces; the applicant constructs four spaces in the right-of-way; the applicant must only pay the public parking fee for four spaces). Crediting of spaces constructed in the right-of-way resulting in a fraction shall be rounded down. [Amd. Ord. 79-05 1/3/06]

(F) SPECIAL PROVISIONS

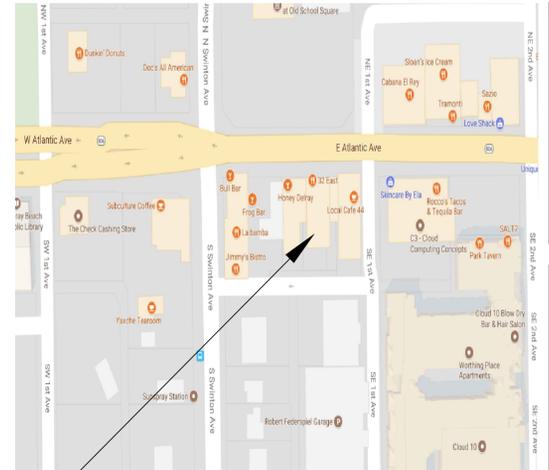
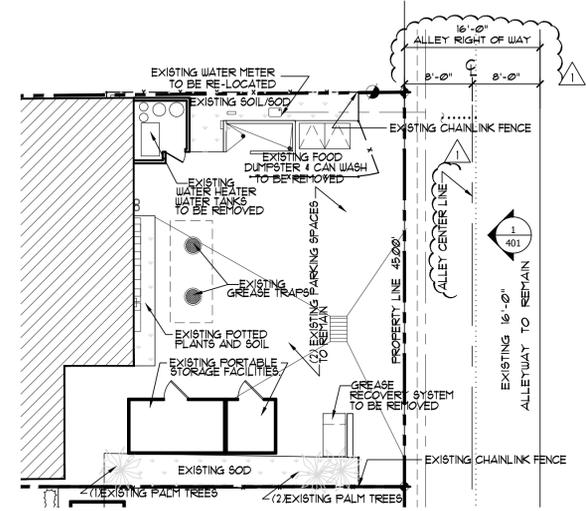
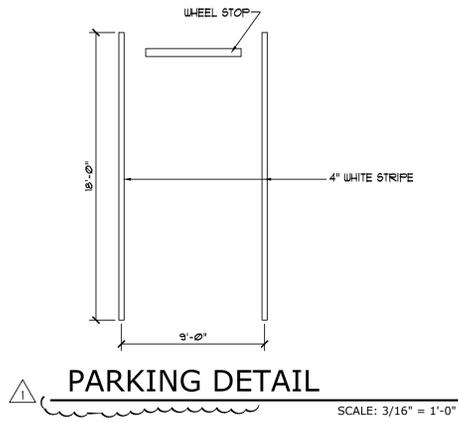
(3) Valet parking. A parking facility with a valet service or operator which allows for attendants to receive, park and deliver the automobiles of occupants, tenants, customers, invitees, and visitors, including tandem parking may be utilized in lieu of the requirements of this Section provided the following requirements are complied with: [Amd. Ord. 37-01 7/10/01]

(a) Any required valet or tandem parking utilized in lieu of the parking requirements set forth in this section shall be governed by an agreement with the City (in such form as may be approved by the City Attorney), and recorded in the public records of Palm Beach County. The agreement shall constitute a covenant running with the land binding upon the owners, heirs, administrators, successors, and assigns. The agreement may be released by the City Commission at such time that site plan approval is obtained for an alternative parking arrangement which satisfies the parking requirements for said use. [Amd. Ord. 37-01 7/10/01]

SEC 4.4.24 OLD SCHOOL HISTORIC ARTS DISTRICT (OSSHAD)

(G) SUPPLEMENTAL DISTRICT REGULATIONS

(4)(b) PARKING REQUIREMENTS Restaurants shall provide six spaces per 1,000 square feet of total new or existing floor area being converted to restaurant use, except for Lots 1 through 6 in Block 69 where 12 spaces per 1,000 square feet of gross floor area up to 6,000 square feet and then 15 spaces per 1,000 square feet of gross floor area over the initial 6,000 square feet is required. [Amd. Ord. 29-11 9/20/11]; [Amd. Ord. 83-93 1/11/94]



SITE LOCATION MAP

SCOPE OF WORK

REMOVAL OF EXISTING WATER HEATERS, WATER TANKS, CAN WASH DUMPSTER AND GREASE RECOVERY SYSTEM.
INSTALLATION OF NEW CAN WASH, NEW GREASE RECOVERY SYSTEM, NEW DUMPSTER ENCLOSURE AND WALK IN COOLER.

LEGAL DESCRIPTION

LOT 3, TOGETHER WITH THE WEST 23.33 FEET OF LOT 2, AND THE EAST 20.33' OF LOT 4, "SUBDIVISION OF BLOCK 69, DELRAY, FLORIDA", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 43, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AREA CALCULATION

EXISTING RESTAURANT VESTED:	7672 S.F.
EXISTING BALCONY IN-LIEU:	241 S.F.
NEW WALK IN COOLER PROPOSED:	160 S.F.

PARKING CALCULATION

	REQUIRED	EXISTING	PROPOSED
EXISTING RESTAURANT VESTED	7 WITH 1 TIME REDUCTION OF 1 SPACE	6	-
EXISTING BALCONY IN-LIEU	1	0	IN-LIEU EXISTING
NEW PROPOSED WALK IN COOLER	2 as per section 4.4.24(G)(4)(b)	0	IN-LIEU

SITE DATA

ZONING	OSSHAD	
ZONING DESIGNATION	GENERAL COMMERCIAL	
LAND-USE DESIGNATION	RESTAURANT	
EXISTING USE	6,341 S.F.	
LOT AREA	6,341 S.F.	

BUILDING AREA CALCULATION

EXISTING GROUND FLOOR AREA:	4,594 S.F.
NEW WALK IN COOLER PROPOSED:	160 S.F.
TOTAL AREA AT GROUND FLOOR	4,754 S.F.
EXISTING SECOND FLOOR AREA:	3,319 S.F.
TOTAL COMBINED FLOOR AREA =	8,073 S.F.

SITE AREA CALCULATION

GROUND FLOOR AREA:	4,754 S.F.	75% OF SITE
LANDSCAPE AREA:	174 S.F.	3% OF SITE
PAVED / PARKING AREA:	1,413 S.F.	22% OF SITE
TOTAL	6,341 S.F.	100% OF SITE

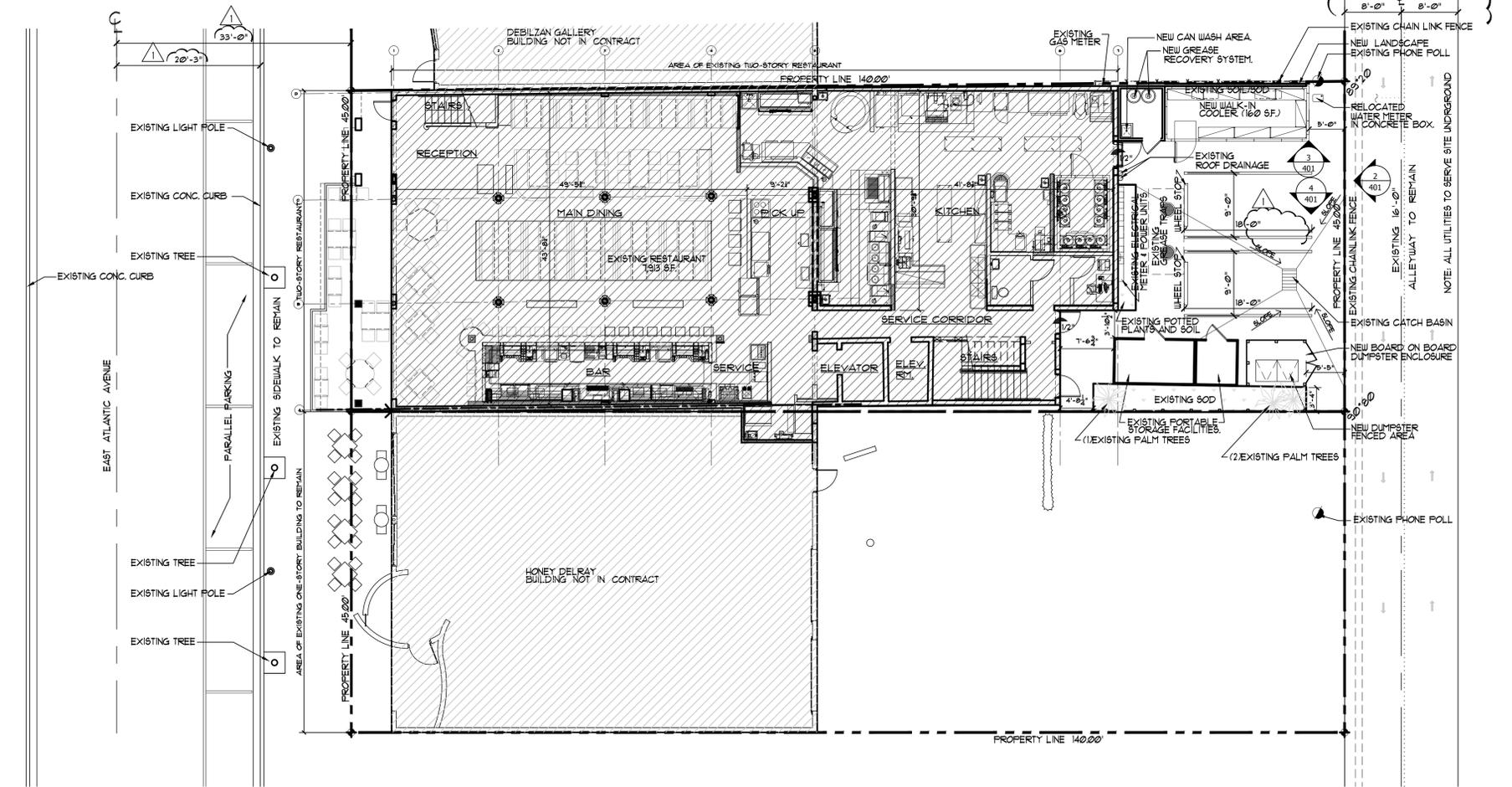
- SITE NOTES ITEMS:**
- TWO PARKING SPACES ARE EXISTING ON SITE.
 - TWO EXISTING PORTABLE STORAGE ON SITE.
 - CAN WASH AND GREASE RECOVERY RELOCATED ON SITE.
 - DUMPSTER CONTAINER/ENCLOSURE RELOCATED ON SITE.
 - NEW WALK IN COOLER ON SITE.
- *ALL FIVE ITEMS ARE WITHIN THE PAVED / PARKING CALCULATED.

BUILDING SET BACKS:

	REQUIRED	PROVIDED
NORTH SIDE (FRONT)	0'-0"	5.65' (EXISTING)
EAST SIDE	0'-0"	0'-0" (EXISTING)
WEST SIDE	0'-0"	0'-0" (EXISTING)
SOUTH SIDE (REAR)	0'-0"	31'-11" (EXISTING)

BUILDING HEIGHTS:

	EXISTING	PROPOSED
HEIGHT	24'-4"	26'-2"
FLOORS	2	NO CHANGE



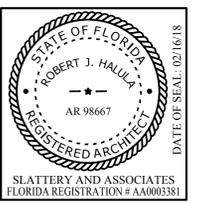
PROPOSED SITE PLAN

SCALE: 1" = 10'

REVISIONS	BY
02/12/18	JT
TAC REVIEW	

Slattery & Associates
ARCHITECTS PLANNERS
2060 NW BOCA RATON BLVD.
SUITE 2
BOCA RATON, FL 33431
TEL: 561-392-3848
FAX: 561-392-5402
WWW.SLATTERYARCHITECTS.COM

OSTERIA BOSSI
RESTAURANT RENOVATIONS
32 EAST ATLANTIC AVENUE
DELRAY BEACH, FLORIDA



SLATTERY AND ASSOCIATES
FLORIDA REGISTRATION # AA0003381

DRAWN	AB
CHECKED	JT
DATE	01-29-18
SCALE	AS NOTED
JOB NO.	2017-40
SHEET	

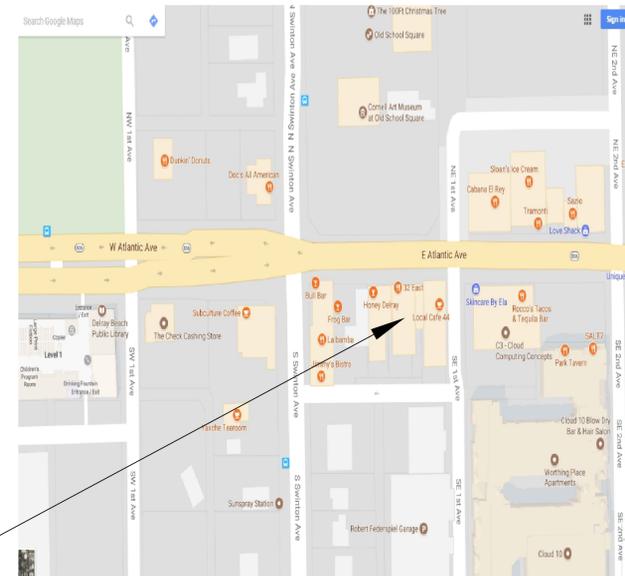
A-101

SCOPE OF WORK

REMOVAL OF EXISTING FINISH MATERIALS, PARTIAL DEMO OF EXISTING OPENINGS TO ACCOMMODATE NANA DOORS, NEW RAILINGS, LIGHT FIXTURES AND BUILDING FINISHES.

LEGAL DESCRIPTION

LOT 3, TOGETHER WITH THE WEST 23.33 FEET OF LOT 2, AND THE EAST 20.33' OF LOT 4, "SUBDIVISION OF BLOCK 69, DELRAY, FLORIDA", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 43, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.



SITE

LOCATION MAP

NOT TO SCALE



REVISIONS	BY
02/12/18 TAC REVIEW	JT

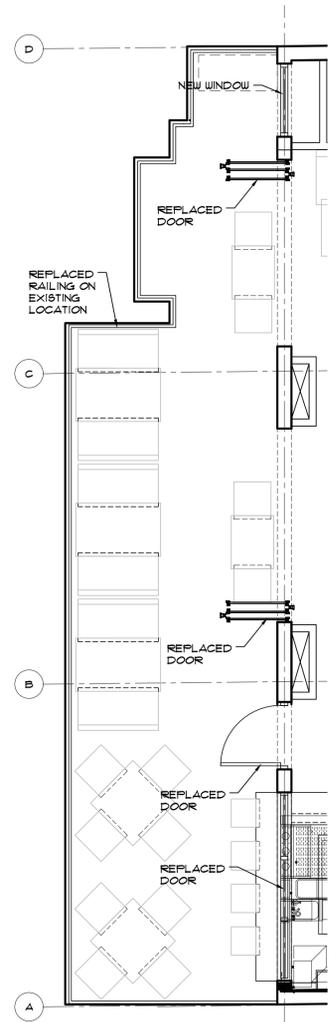
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 32 EAST ATLANTIC AVENUE
 DELRAY BEACH, FLORIDA

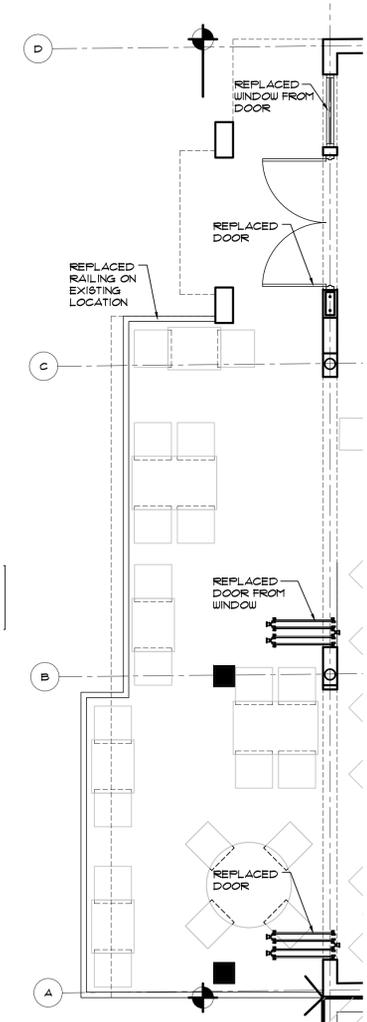
STATE OF FLORIDA
 ROBERT J. HALL
 REGISTERED ARCHITECT
 AR 98667
 SLATTERY AND ASSOCIATES
 FLORIDA REGISTRATION # AA0003381
 DATE OF SEAL: 02/16/18

DRAWN	AB
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DATE	01-29-18
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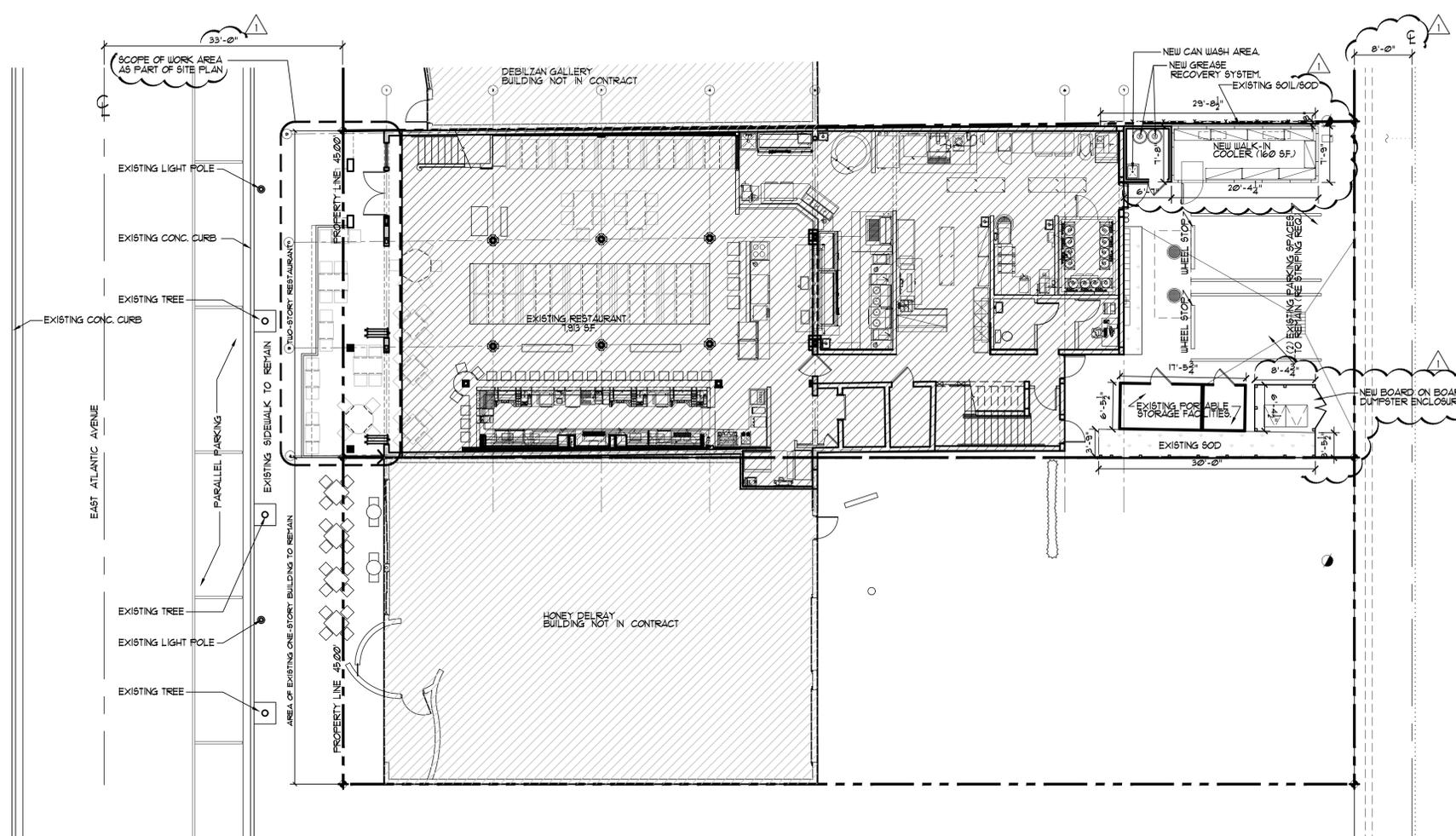
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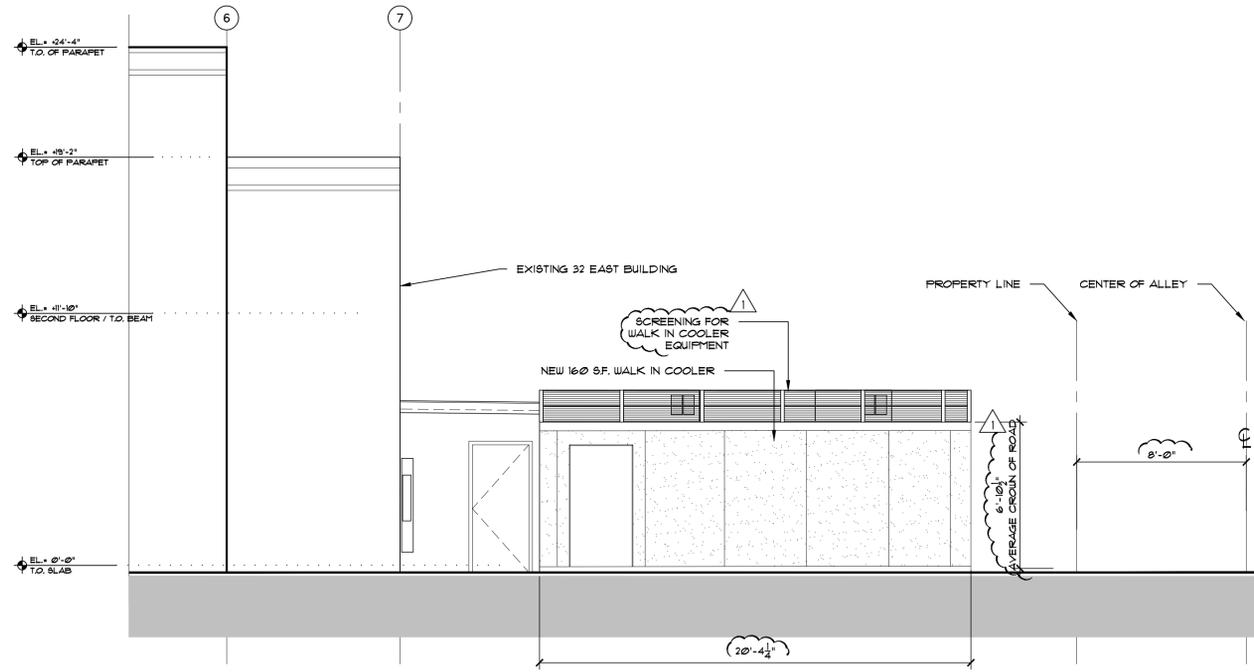
SECOND FLOOR
 SCALE: 1/4" = 1'-0"



GROUND FLOOR
 SCALE: 1/4" = 1'-0"

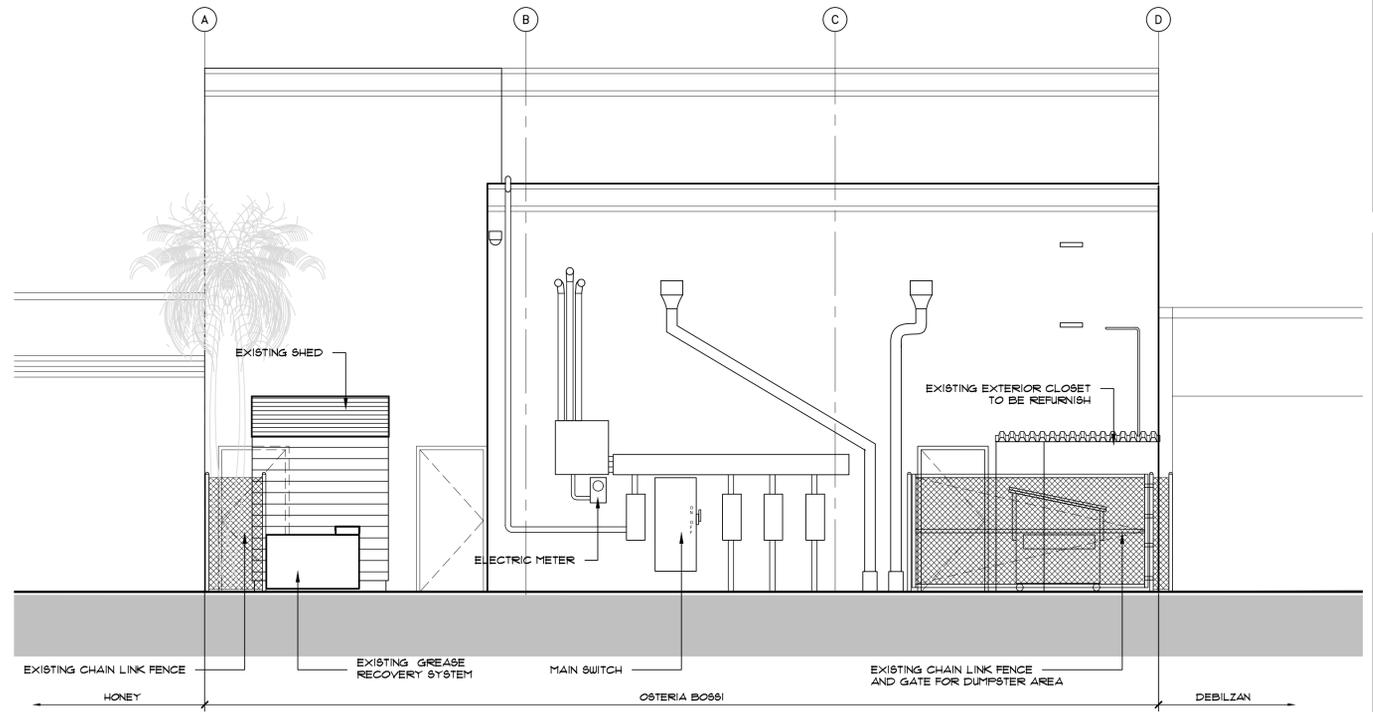


SITE PLAN
 SCALE: 1" = 10'



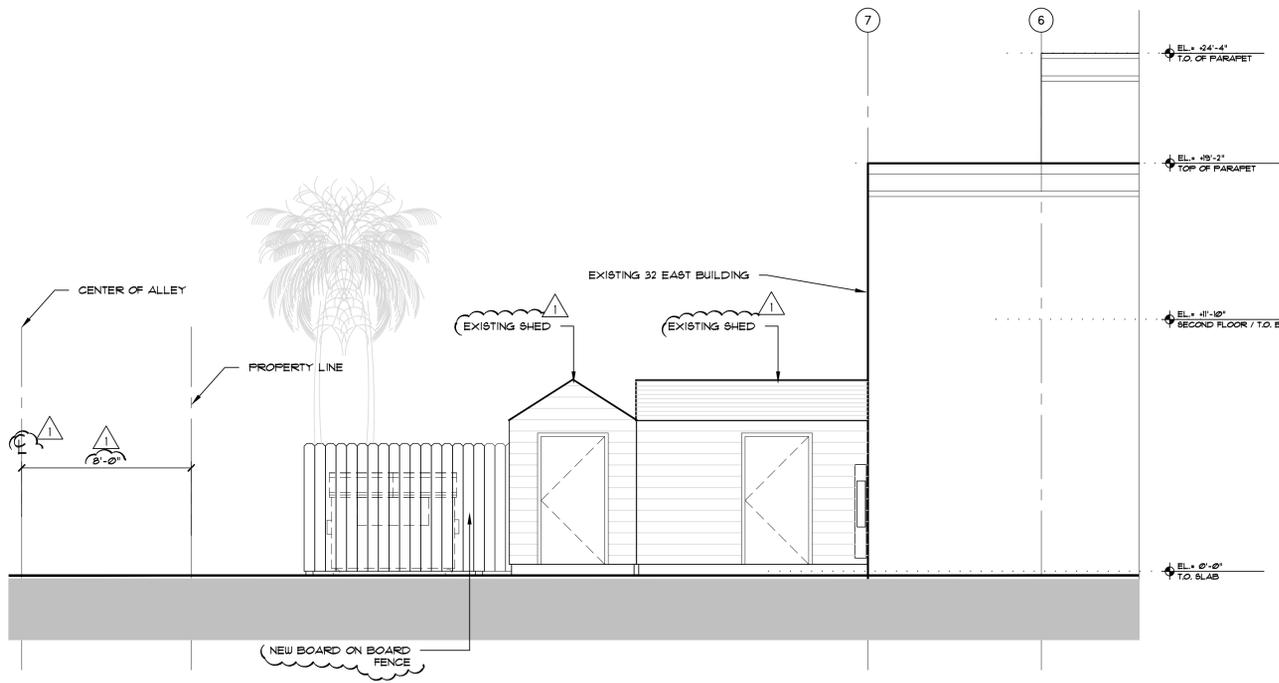
3
A-401
NEW PARTIAL ELEVATION LOOKING EAST

SCALE: 1/4" = 1'-0"



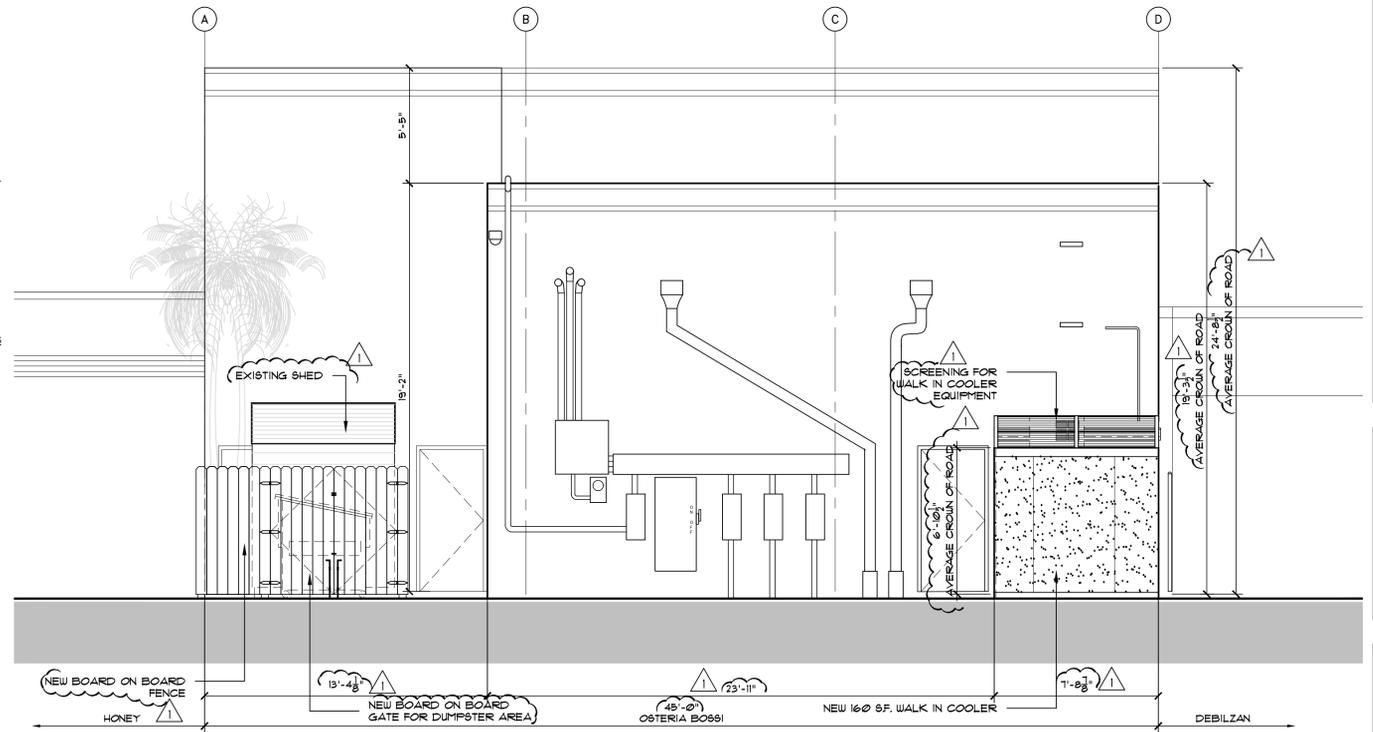
1
A-401
EXISTING SOUTH ELEVATION (ALLEY)

SCALE: 1/4" = 1'-0"



4
A-401
NEW PARTIAL ELEVATION LOOKING WEST

SCALE: 1/4" = 1'-0"



2
A-401
NEW SOUTH ELEVATION (ALLEY)

SCALE: 1/4" = 1'-0"

REVISIONS	BY
02/12/18 TAC REVIEW	JT

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A-401

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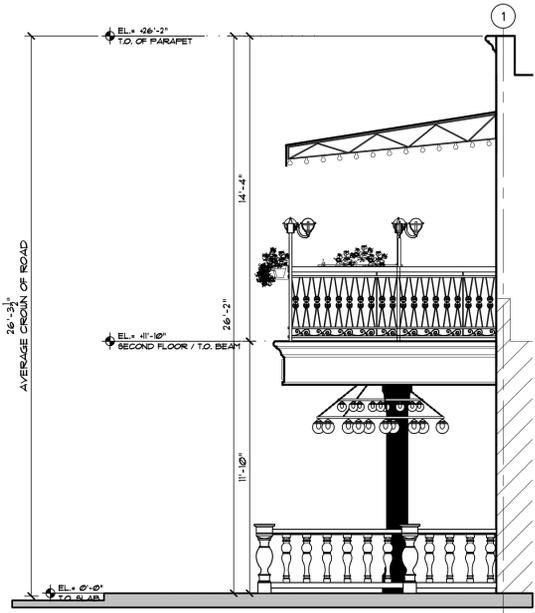
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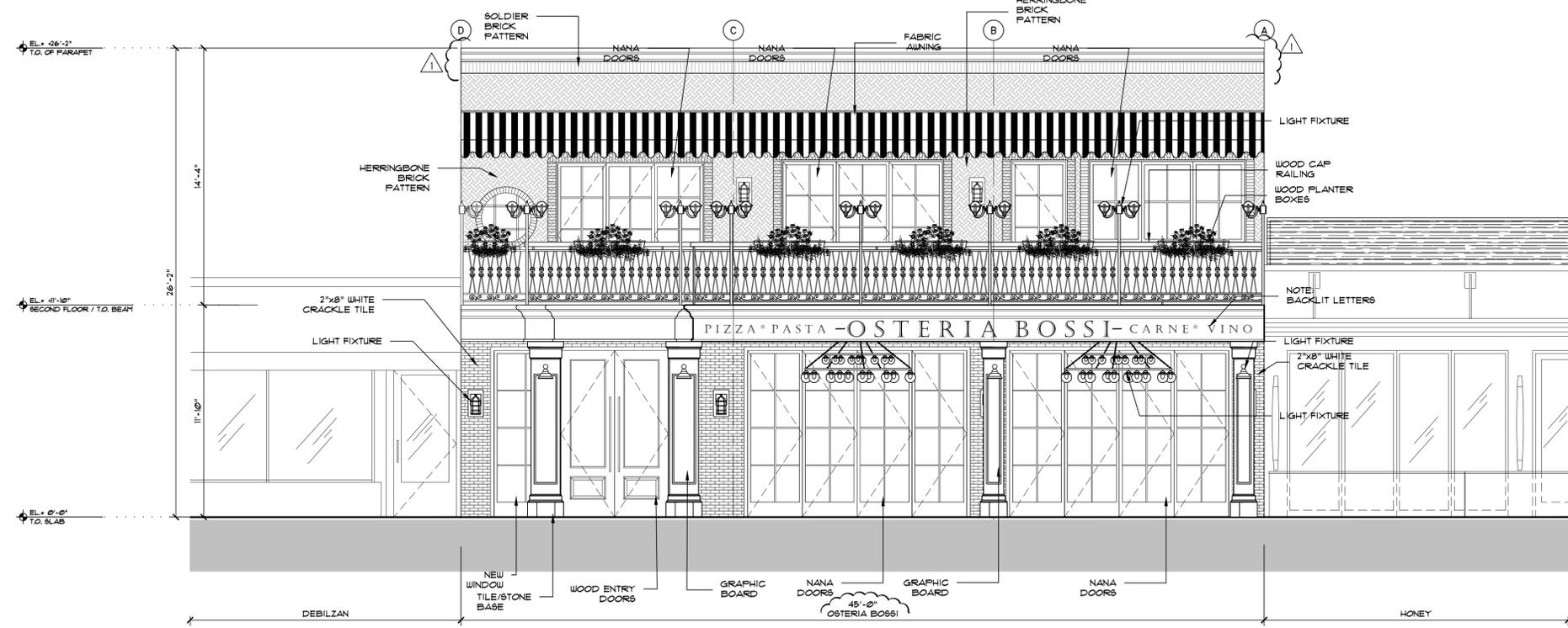
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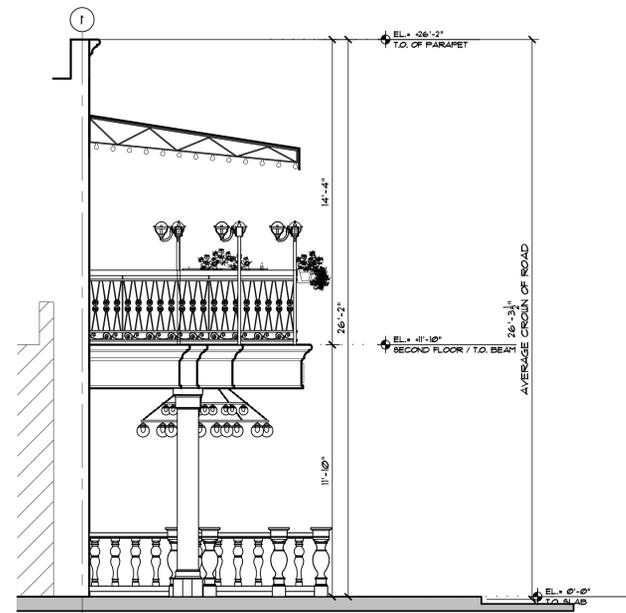
A-401H



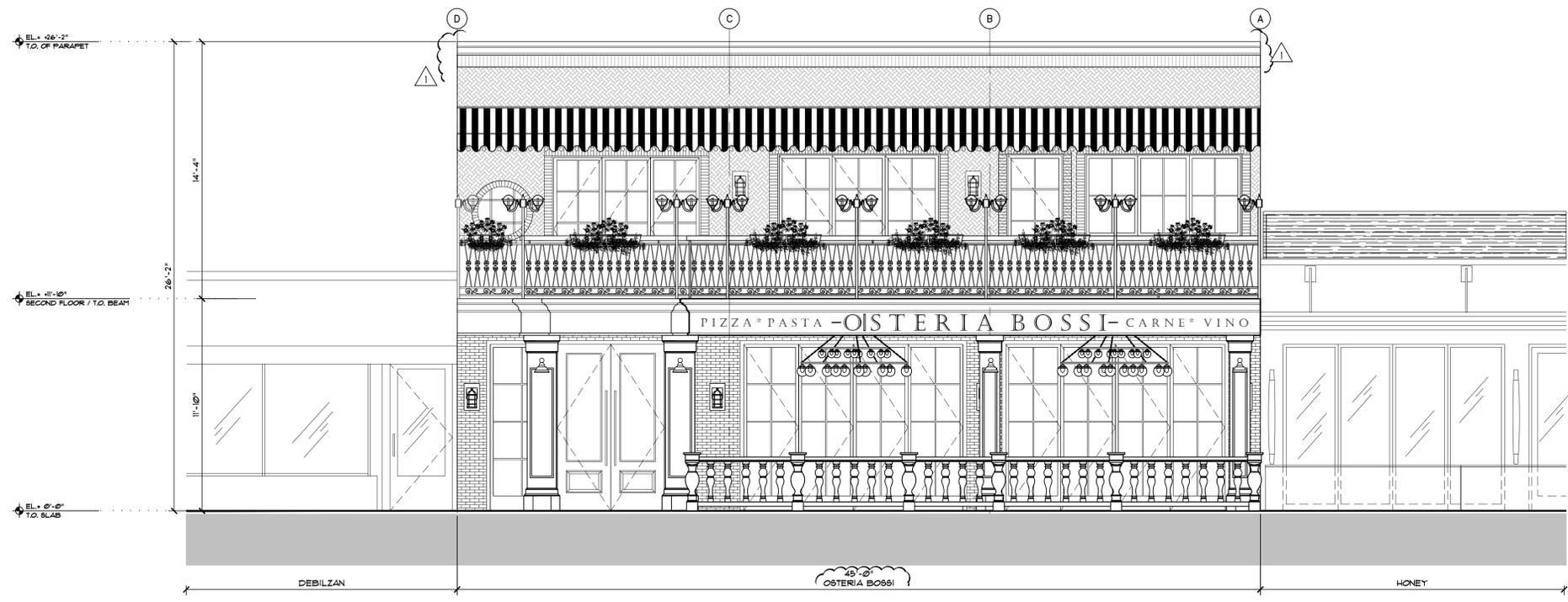
3 WEST ELEVATION
 SCALE: 1/4" = 1'-0"



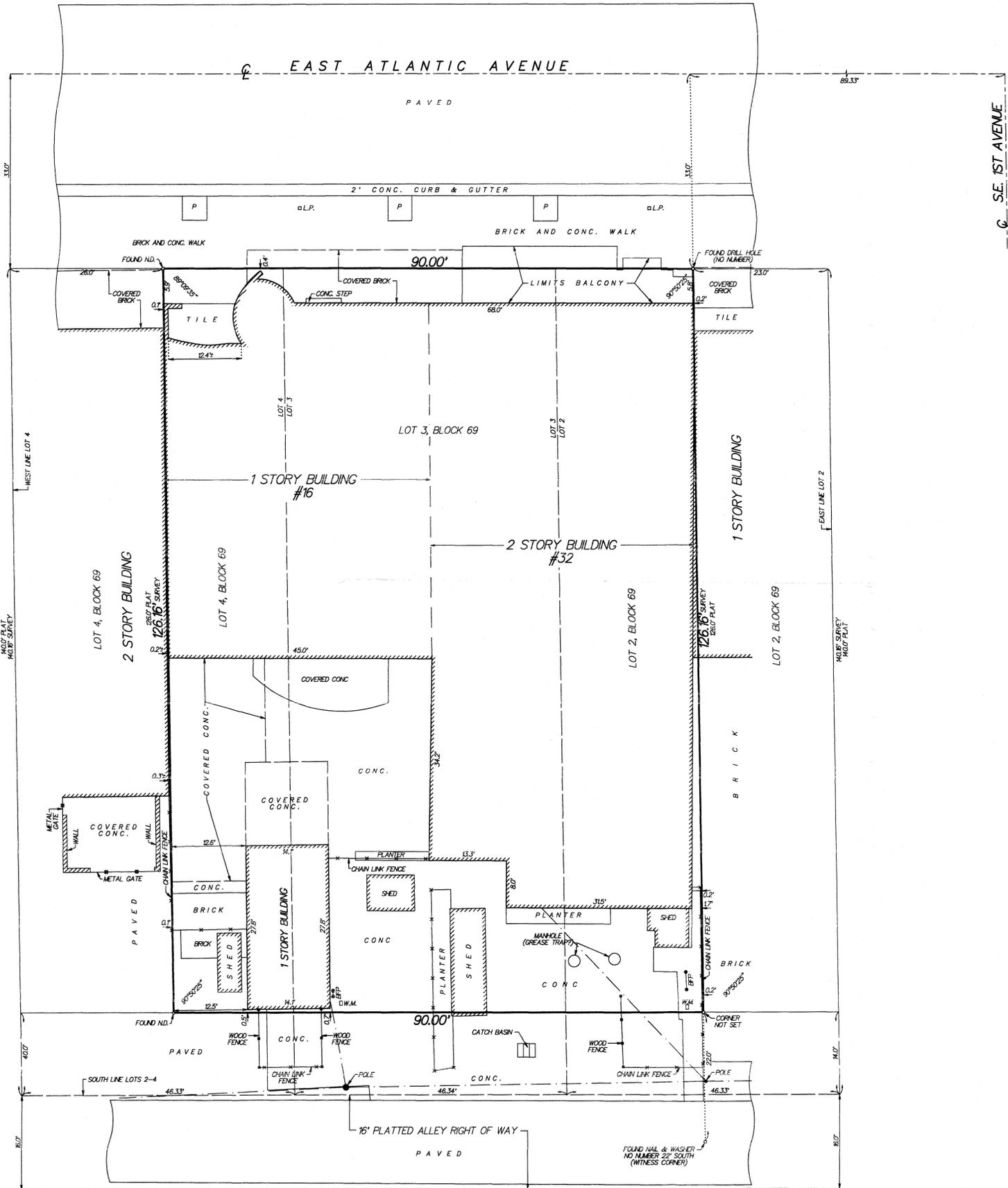
1 NORTH ELEVATION
 SCALE: 1/4" = 1'-0"



4 EAST ELEVATION
 SCALE: 1/4" = 1'-0"



2 NORTH ELEVATION (with railing)
 SCALE: 1/4" = 1'-0"



SURVEYOR'S REPORT/LEGEND:
 C = CENTERLINE
 CONC. = CONCRETE
 I.R. = 5/8" IRON ROD WITH CAP #LB 353
 ND. = NAIL & DISK #LB 353
 L.P. = LIGHT POLE
 W.M. = WATER METER
 BFP = BACKFLOW PREVENTER
 P = PLANTER
 --- = OVERHEAD UTILITY LINES

FLOOD ZONE: X
 COMMUNITY PANEL NO. 125102 0979
 SUFFIX F
 MAP REVISED: OCTOBER 5, 2017
 NOTE: ALL BOUNDARY LINES AND ANGULAR DIMENSIONS ARE PLAT AND SURVEY UNLESS STATED OTHERWISE.
 ALL DIMENSIONS SHOWN HEREON ARE BASED ON THE STANDARD U.S. FOOT.
 THIS SURVEY HAS ACHIEVED A MINIMUM LEVEL OF CLOSURE OF 1 FOOT IN 10,000 FEET AS REQUIRED FOR COMMERCIAL/HIGH RISK PROPERTY CLOSURE WAS ACHIEVED BASED ON A REDUNDANCY OF MEASUREMENTS FOR VERTICAL, HORIZONTAL AND ANGULAR DIMENSIONS.
 NO SUBSURFACE SEARCH WAS MADE FOR UTILITIES OR UNDERGROUND FOOTERS

DESCRIPTION:
 ALL OF LOTS THREE (3) AND FOUR (4) OF MCGINLEY AND GOSMAN SUBDIVISION OF BLOCK 69 OF THE CITY OF DELRAY BEACH, FLORIDA, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, AT PAGE 43, LESS THE EAST 2167 FEET AND THE SOUTH FOURTEEN (S:14') OF LOT 3, AND LESS THE WEST 26 FEET AND THE SOUTH FOURTEEN (S:14') OF LOT 4 (KNOWN AS 16 EAST ATLANTIC AVENUE, DELRAY BEACH, FLORIDA).
 AND:
 THE WEST 23.33 FEET OF LOT 2, AND THE EAST 2167 FEET OF LOT 3, LESS THE SOUTH 14 FEET, BLOCK 69, CITY OF DELRAY BEACH, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 2 AT PAGE 43 (KNOWN AS 32 EAST ATLANTIC AVENUE, DELRAY BEACH).

MAP OF BOUNDARY SURVEY
 SITE ADDRESS: 16 & 32 E. ATLANTIC AVE.
 DELRAY BEACH, FLORIDA 33444
 I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Paul D. Engle
 PAUL D. ENGLE
 SURVEYOR & MAPPER #5708

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

O'BRIEN, SUITER & O'BRIEN, INC.
 LAND SURVEYORS
 CERTIFICATE OF AUTHORIZATION #LB353
 SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE: PAUL D. ENGLE
 955 N.W. 17TH AVENUE, SUITE K-1, DELRAY BEACH, FLORIDA 33444
 (561) 276-4501 732-3279 FAX 276-2390

DATE OF SURVEY DECEMBER 15, 2017	SCALE: 1" = 10'
FIELD BOOK PAGE NO. D.297 8	ORDER NO.: 10-500b