



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

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: November 18, 2020 | File No: 2019-266-SPM-SPR-CLV | Application Name: Pierre Delray II

General Data:

Applicant: Pierre Delray One, LLC.

Agent: Bonnie Miskel, Esq., Dunay, Miskel & Backman, LLP

Location: 298 E. Atlantic Avenue

PCN: 12-43-46-16-01-085-0040

Property Size: 0.4245 Acres

FLUM: Commercial Core (CC)

Zoning: Central Business District – Central Core (CBD)

Adjacent Zoning:

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

Existing Land Use: Parking Lot

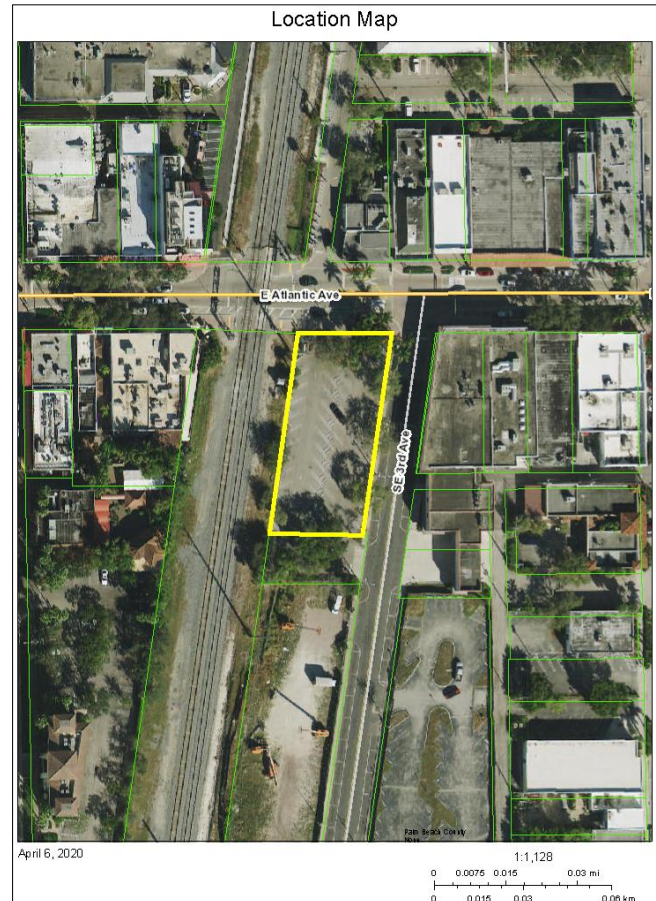
Proposed Land Use: Office/Retail/Restaurant

Floor Area Ratio: 2.6

Item before the Board:

The action before the Board is for the approval of a Class V Site Plan application for Pierre Delray II pursuant to LDR section 2.4.5 (F)(3), 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 V (2019-266) Site Plan, Landscape Plan, and Architectural Elevations for Pierre Delray II located at 298 E. Atlantic Avenue 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 V (2019-266) Site Plan, Landscape Plan, and Architectural Elevations for Pierre Delray II located at 298 E. Atlantic Avenue, by finding that the request is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in the Land Development Regulations.

Project Planner:

Kent Walia, AICP, Senior Planner;
walia@mydelraybeach.com
561-243-7365

Review Dates:

SPRAB Board:
November 18, 2020

Attachments

1. Site Plans
2. Landscape Plans
3. Architecture Plans



Technical Notes:

1. Provide a recorded pedestrian clear zone easement agreement for the portions of the pedestrian clear zone on the private property prior to building permit issuance.
2. Provide a recorded arcade agreement prior to building permit issuance.
3. Provide a recorded landscape maintenance agreement for plantings in the public right-of-way prior to building permit issuance.
4. Provide a recorded offsite parking agreement prior to site plan certification.
5. Apply for a site plan modification for the off-site property for the 9 paved parking spaces at the off-site location and construct them prior to certificate of occupancy.
6. Provide Traffic Circulation and Access Point analysis prior to site plan certification.
7. Provide the 100% cost for the installation of the bus shelter in accordance with LDR Section 2.4.3 (D)(7), prior to building permit issuance.
8. Provide a recorded 20'x20' corner clip dedication prior to building permit issuance.
9. Provide an updated survey prior to building permit issuance.
10. Provide the laser scan and section details demonstrating compliance with FPL and OSHA separation requirements between the building and powerlines prior to site plan certification.
11. Provide the updated civil sheet (s) showing the correct location of the backflow preventer complying with the City Engineering comments prior to site plan certification.
12. Provide IESNA or ASHRAE cut sheets demonstrating higher or lower foot candle requirements for the building entrance, property line and in the stairwell prior to site plan certification. Or provide revised photometric plans adjusting the light levels to be in compliance with the minimum and maximum light requirements in LDR Section 4.6.8 prior to site plan certification.
13. Provide \$17,500.00 to the City's Tree Trust fund as indicated on sheet TDP1 for the tree canopy lost prior to building permit issuance.

Project Description:

The proposed Pierre Delray II Class V Site Plan application (2019-266) is associated with the construction of a 49,282 gross square foot (g.s.f), three-story office/restaurant building with three arcades, an internal garage, and a rooftop parking area located at 298 E. Atlantic Avenue (subject site) with adjacent landscaping, utility, and paving improvements in the public Right-Of-Way (R-O-W).

Background:

The 0.4245-acre subject site (Parcel C) is all of the North 199' of Block 85, lying East of the FEC Railway right-of-way, in the City of Delray Beach, according to the Plat of the MAP OF THE TOWN OF LINTON (now Delray Beach), on file at the Office of the Clerk of Court in and for Palm Beach County, Florida as recorded in Plat Book 1, Page 3. Currently situated on the site is a vacant parking lot. The following is a list of events involving the site:

- Prior to 1990, the subject property was zoned CBD. Records indicate that the site was historically used for surface parking only.
- In October 1990, the property was rezoned to CF as part of the citywide rezoning. Records show that the parcel was designated Community Facilities-Recreation (CF-R) on the Future Land Use Map.
- In 2004, the "Recreation" suffix was removed, and the parcel remained CF.
- In November 2010, the City commission approved a conditional use to allow the establishment of a commercial "for pay" parking lot to be operated jointly for utilization for SunTrust Bank customers (302 E. Atlantic Avenue) and paying public patrons.
- On May 21, 2019, the City Commission adopted Ordinance 05-19 approving the rezoning and re-designation of the future land use map designation (FLUM) of the subject site from Commercial Facilities (CF) to Commercial Core (CC). Subsequently, the City Commission adopted Ordinance 06-19 approving a re-designating and rezoning of the subject site from Commercial Facilities (CF) to Central Business District (CBD) Commercial Core.
- On October 6, 2020, the City Commission approved (3) Waiver Resolutions for the Pierre Delray II project:



1. No. 82-20 – allowing a 3rd story for the arcade at the southeast side of the building.
2. No. 83-20 – allowing for a 2 foot 2 ¾ inch side interior setback adjacent to the FEC train tracks on the west side of the property.
3. No. 84-20 – allowing for a 10" front setback at the northeast corner of the building for the 2nd and 3rd floors only.

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.

Central Business District (CBD)

- Pursuant to LDR Section 4.4.13(A), **Purpose and intent for the CBD**, *The Central Business District (CBD) is established to preserve and protect the cultural and historic aspects of downtown Delray Beach and simultaneously provide for the stimulation and enhancement of the vitality and economic growth of this special area.*

Central Core Sub-District:

Pursuant to LDR Section 4.4.13 (A)(1) **Central Core**, *The regulations are intended to result in development that preserves the downtown's historic moderate scale, while promoting a balanced mix of uses that will help the area evolve into a traditional, self-sufficient downtown.*

- The subject site is located in the CBD zoning district within the Central Core sub-district. The development is proposing a three-story office and restaurant/retail building.

Pursuant to LDR section 4.4.13 (B) **Regulating Plans**, *The Delray Beach Central Business District (CBD) regulating plans depict additional information necessary to apply the standards contained in this Section and are hereby officially adopted as an integral part of these regulations.*

- According to the Central Core regulating plan Figure 4.4.13-5, the subject site is located along a **Primary Street** with required **Retail Frontages**.
- Pursuant to LDR Section 4.4.13 (C)(3)(a)2., **Required Retail Frontage** requires that properties on designated streets (i.e., E. Atlantic Avenue) to provide retail use on the sidewalk level with a storefront or arcade frontage, and have individual commercial space width not to exceed 75' and a depth of at least 20'. Restaurants are considered Retail Frontages in accordance with LDR Sections 4.4.13(C)(3)(b) and Table 4.4.13 (A). The plans show the building has three restaurant bays on the ground floor with storefront façades with widths from approximately 25 to 27 feet, and depths of from approximately 61 to 73 feet. The ground level will be lined with retail uses with storefront framing and glazing. The ground level will also be covered by a two story arcade on E. Atlantic Avenue. As a note, the ground floor retail spaces proposed are retail/restaurant uses. Both are allowed, the parking was calculated for restaurant because it is the higher intensity use.
- The regulating plans require that **Primary Streets** have superior pedestrian environments and, as such, are held to higher standards in the regulations regarding building placement, building frontage, and the location of parking and service uses. The plans provided show that the building will provide restaurant uses on the ground floor on E. Atlantic Avenue in accordance with the regulating plan.

Base District Requirements:

LDR sections 4.4.13 (D), Table 4.4.13 (B), and 4.3.4 (K) Development Standards Matrix

<u>Zoning</u>	Required / Allowed	Provided
Central Business District – Central Core		
Lot Frontage (Min./Max)	75% / 100%	89.72%
Lot Width (Min.)	20'	96'-5-¼"
Lot Area (Min.)	2,000 sf	18,680 sf
Height (Max.)		
Atlantic Avenue Limited Height Area*	38'	38'-0"
CBD Central Core	54'	38'-0"
Stories (Max.)		



SITE PLAN REVIEW AND APPEARANCE BOARD STAFF REPORT

Atlantic Avenue Limited Height Area	3	3
CBD Central Core	4	3
Elevator Overrun**		
Atlantic Avenue Limited Height Area	48'	48'
CBD Central Core	64'	48'
Ground Floor Height (Min.)	12'	14'
Setbacks (Min.):		
Front (North)	10' (min) / 15' (max), 20' (min) above 3 rd floor	10'-1 1/8"
Front (East)	10' (min) / 15' (max), 20' (min) above 3 rd floor	10'-1" (min) / 11'-4 5/8" (max)
Side Interior (West)	2'-2 3/8"***	2'-2 3/8" (min)
Side Interior (South)	0'	0' (min), 1" (max)

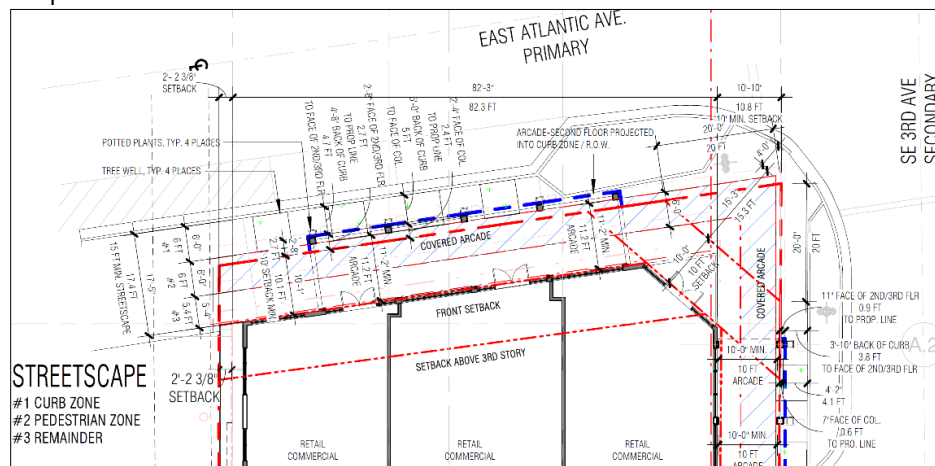
*The north 125' of the structure is located in the Atlantic Avenue Limited Height Area with a 38', three-story height limit. The remaining south 72' portion of the structure is located within the CBD Central Core with a 54', four-story height limit, per LDR Section 4.4.13 (D)(1)(a). The entire building has a mean roof height of 38', which complies with both height limits.

** Pursuant to LDR Section 4.4.13 (D)(1)(a)12., Elevator overruns and stairways are not limited by the number of stories and shall not exceed 10 feet above the maximum overall building height.

***On 10/6/20, the City Commission approved Resolution No. 83-20 – allowing for a 2 foot 2 3/8 inch side interior setback adjacent to the FEC train tracks on the west side of the property.

Pursuant to LDR section 4.4.13 (E)(2) **Minimum Streetscape Width**, 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 15 feet in width, measured from the back of curb.

- Pursuant to LDR section 4.4.13 (E)(3)(a)1., the **curb zone** shall be at least 4' in width and shall accommodate street, and public infrastructure needs such as utility poles, streetlights, street signs, parking meters, etc. The plans provided show curb zones approximately 4' to 6' in width, which contain street trees, potted plants, arcade columns, utilities and street signage.
- Pursuant to LDR section 4.4.13 (E)(3)(a)2., the **pedestrian clear zone** shall be a least 6' feet wide and provide unobstructed walking space. The plans show a minimum 6' wide pedestrian clear zone underneath an arcade structure adjacent to E. Atlantic Avenue and SE 3rd Avenue.
- Pursuant to LDR section 4.4.13 (E)(3)(a)3., the **remaining front setback area** shall be the remainder within the minimum 15' streetscape width to accommodate hardscape design features. Hardscape features can include outdoor dining areas, landscape features such as potted plants, or additional sidewalk space. The plans provided show a minimum 4' paved remaining front setback area that will be used as an extension of the sidewalk to provide a minimum 10' total sidewalk underneath the arcade.





Pursuant to LDR Section 4.4.13 (E)(4)(e) **Storefront**, is a frontage type along sidewalk level of the ground story, typically associated with commercial uses. Storefronts are frequently shaded by awnings or arcades.

- The project is proposing a storefront façade on the ground level of the building along E. Atlantic Avenue and NE 3rd Avenue. Storefront facades are required to comply with the Dimensional Requirements listed in LDR Section 4.4.13 (E)(4)(e)1., a, Table 4.4.13 (I), A. The following table demonstrates the project's compliance with the aforementioned LDR section:

Dimensional Requirements for Storefront Table 4.4.13 (I)

	Minimum	Maximum	Provided
Building Setback	10'	15'	10 (min), 10'-2 ¾" (max)
Store Width	N/A	75' on Req. Retail Streets	71'
Storefront Base	9"	3'	1'-3"
Glazing Height	8'	-	12'
Required Openings	80%	-	81.3% (North), 97.3% (East)

Pursuant to LDR Section 4.4.13 (E)(2)(b)1., **Street Trees**, All new construction shall install street trees at the time of development... Street trees shall be a canopy species, planted in the public right-of-way directly in front of the property line(s), uniformly spaced no greater than 30 feet on center. Street trees shall be located in the curb zone of the streetscape, in order to separate pedestrians from vehicular lanes and to provide room for tree canopies.

- The landscape plans provided show that 12 street trees will be provided which exceed the minimum 10 required by the LDR section (298.87 linear feet / 30) in the curb zone. The street trees provided will be: (1) Eagleston Holly, (1) Southern Live Oak, and (10) Japanese Blueberry trees. In addition, the plans show that (4) mature Coconut Palm trees will remain in the curb zone at the corner of E. Atlantic Avenue and SE 3rd Avenue. The project will also contain hedges in the curb zone, at the rear of the property screening the electrical transformer, and at the side of the property adjacent to the FEC train tracks. The landscape plans have been reviewed by the City's Senior Landscape Planner for landscape compliance in accordance with LDR Section 4.6.16. Sheet TDP1 shows that \$17,500.00 will be contributed to the City's Tree Trust fund to mitigate the tree canopy removed from the existing parking lot where the proposed building will be located. It is important to note that there is no minimum open space requirement for this site.

Pursuant to LDR Section 4.4.13 (E)(4)(f), **Arcade**, An Arcade is a covered, unglazed, linear hallway attached to the front of a building, supported by columns or pillars. The arcade extends into the public right-of-way, over the streetscape area, creating a shaded environment ideal for pedestrians.

- The project is proposing two arcades on the east side of the property and one on the north side. The following table demonstrates the project's compliance with the aforementioned LDR Section:

Dimensional Requirements for Arcades 4.4.13 (J)

	Minimum	Maximum	Provided
Building Setback	Varies	15'	10'-1" – 11'-4 5/8"
Arcade Depth	10'	20'	10'-1" – 11'-1 7/8"
Arcade Ceiling Height	10'	20'	12' – 12'-7"
Arcade Stories	1	2	2,3*
Column/Pillar to Face of Curb	2'	5'	3'-10", 4'-8"
Column/Pillar Width and Depth	1'	-	
	Required		
Spacing between Columns	1:1, 2:1, or 2:3 (max 24')		1.08:1 – 1.25:1 (max 15')
Arcade Arches	no less than 8 inches in depth		1'

* As mentioned in the background portion of the report, No. 82-20 – was approved by the commission allowing a 3rd story for the arcade at the southeast side of the building.

Pursuant to LDR Section 4.4.13 (E)(4)(f)2.c., **Arcade Elements**, Potted landscaping or ground planting shall be provided between the face of the columns or pillars and the face of curb.



- The landscape plans provided show potted plant provided in front of the columns adjacent to the arcade columns. The planters will be made of a smooth stone material. The accent plants will consist of Ti plant, Draceana, Fiddle Leaf Fig, Snake Plant, Bromeliads, Asian Jasmine, Purple Queen, or Pothos plants.

Pursuant to LDR Section 4.4.13 (F)(2)(d), **Façade composition compliance**, *all development submittals shall provide diagrams and/or documentation to illustrate compliance with the requirements of this Section which includes Building Articulation, Tripartite Composition, and Visual Screening.*

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

- Sheet A12 shows that Pierre Delray II has building articulations from 0.98:1 (0.98) to 3:1 (3.0), in compliance with the ratios required.

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

- The LDR requires that all buildings in the CBD have a Tripartite Composition (base, middle, and top). The base of the building is located on the ground floor and composed of storefront glazing with powder coat aluminum framing and wood finished aluminum composite panel framed columns underneath the arcades. The middle is located on the second floor and is composed of white color stucco clad walls, horizontal curtain wall glazing with powder coat frames, faux green screen walls, arcades terrace with glass balustrades and aluminum handrails, and perforated aluminum infill wall panels. The top is located on the third story and is composed of horizontal glazing with aluminum framing, wood finish aluminum composite panel framed cornices, parapet walls, stair and elevator shafts, faux green screen walls, and perforated aluminum infill panels.



Pursuant to LDR section 4.4.13 (F)(3)(a) **Architectural Styles**, *the "Delray Beach Central Business District Architectural Design Guidelines", identifies seven architectural styles as appropriate for downtown Delray Beach. The permitted architectural styles are outlined in the "Delray Beach Central Business District Architectural Design Guidelines" document.*

- The Pierre Delray II building proposes a Masonry Modern building which is a permitted architectural style in accordance with the Delray Beach Central Business District Architectural Design Guidelines" document (The Guide). The guide describes masonry modern buildings as a type of architecture that emphasizes the solidity of the mass that appears to be carved from a solid volume. The building should include elements such as flat roofs, terraces, glass to wall ratios, recessed windows, and tripartite composition.

The building includes tripartite composition, arcades with terraces, and rooftop parking. The ground floor includes commercial restaurant/retail spaces with storefront glazing accentuated by arcades. The middle portion of the building appears more solid, and the top includes roof top parking with a covered canopy. The proposed design reflects the monolithic intent of the masonry modern architecture which is clearly expressed in the building's exterior.



Parking Garage

Pursuant to LDR Section 4.4.13 (D)(2)(a)3., *Buildings over three stories in height are subject to additional setback requirements to ensure architectural articulation and reduce the impact of taller building heights. At the top of the third story, front and rear setbacks are 20 feet minimum. With approval from the SPRAB, building entries, lobbies, and vertical circulation areas located above the third story may not be required to increase the setback to 20 feet, if configured as tower elements determined to be consistent with the Delray Beach Architectural Design Guidelines.*

- The plans show the elevator and stairwells encroaching into the 20' setback which require SPRAB approval.

Pursuant to LDR Section 4.4.13 (F)(9)(c), Reduction of Urban Heat Islands, provide shade on at least 30 percent (within five years) of any exposed parking on the roof.

- The proposed development contains a three-story parking garage with rooftop parking spaces. The plans provided show a 5,141 sf powder-coated aluminum canopy shade structure on the parking garage roof which covers 33.89% of the area. The roof canopy is 10' tall and 48' above the finish floor. Sheet A6.1 shows a portion of the roof canopy within Atlantic Avenue Limited Height Area (38' height limit) and a portion in the Central Core (54' height limit). Pursuant to LDR Section 4.4.13 (D)(1)(a)11., architectural features including church spires, steeples, belfries, and cupolas are not limited by story height; however, any part of any such feature shall not exceed ten feet above the maximum overall building height unless specifically approved by action of the City Commission. While not specifically listed as an architectural feature, the canopy complies with the intent of LDR Section 4.4.13 (D)(1)(a)11., in providing in rooftop structure that does not exceed 10' above the maximum overall height of the building. Furthermore, the canopy complies with the 20' setback requirement above the third-story. Per LDR Section 2.2.3 (D)(1)(h), SPRAB can consider rooftop canopy's compliance with the aforementioned LDR sections as part of the architectural elevations.

Green Building requirement

Pursuant to LDR Section 4.4.13 (F)(10), *All development which proposes to build 50,000 square feet or more, in one or more buildings, shall be at a minimum certified as Silver by the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) standards or equivalent standards adopted or approved by the City.*

- The plans provided shows that Pierre Delray II will be a 49,411.38 sq.ft building, thus not required to provide green building certification. Although not required, sheet A1b provided does indicate that the project will be seeking the U.S. Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Silver Certification.

Civic Open Space

Pursuant to LDR Section 4.4.13 (G)(1)(a), *"Sites smaller than 20,000 square feet have no civic open space requirement. The first 20,000 square feet of sites larger than 20,000 square feet are not used in the computation of required civic open spaces."*

- The subject site is 18,680 square feet, thus no civic open space is required or provided.

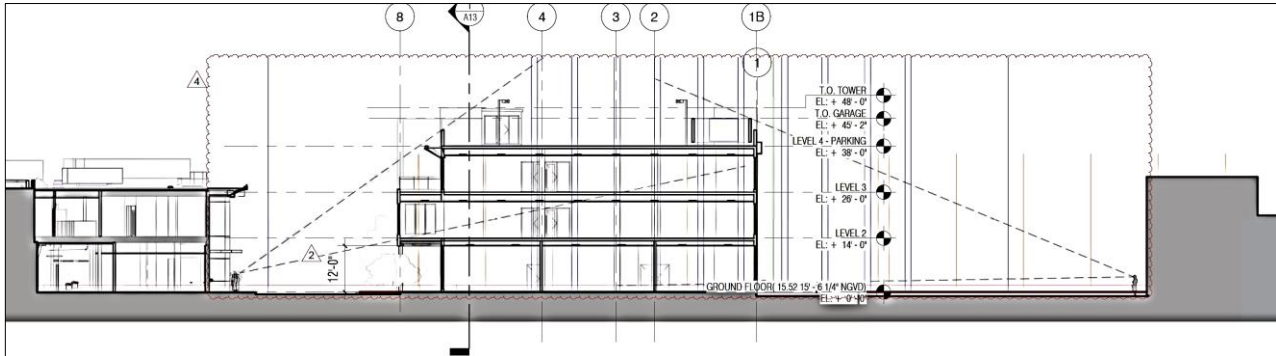
Visual Analysis

Pursuant to LDR Section 4.4.13 (K)(1)(e), *A **Sight Line Study** of all development consisting of two or more stories shall be submitted for review by the approving body. The study shall include a one or more two-dimensional cross-section, at*



a minimum scale of 1:100, of the site showing the building with the equipment screening in relation to the adjacent properties (including views from upper stories) and/or the public street.

- The plans provided show a sight line visibility section that shows the screening of rooftop mechanical units.



CBD Parking Requirements

Pursuant to LDR Section 4.4.13(l)(2)(d), **CBD Parking Standards:** Following table lists the number of parking spaces required and provided for each of the uses proposed on the subject site.

Use	Proposed	Required	Provided
Restaurant 1 st floor	5,442 sq. ft.	12/1,000 (<6,000) = 60 15/1,000 (>6,000) = 7	-
Office Space 2 nd Floor	6,529 sq. ft.	1 per/500 sq. ft. x (500) = 13	-
Office Space 3 rd Floor	5,233 sq. ft.	1 per/500 sq. ft. x (500) = 10	-
Total		90 Spaces	71 Spaces*

*See shared parking analysis below demonstrating parking compliance.

Pursuant to LDR Section 4.6.9 (C)(8)(a), **Shared parking.** When a building or combination of buildings on a unified site or sites contains a mix of uses as categorized in the table below, the minimum total number of required parking spaces shall be determined by the following method:

Shared Parking Calculations Table
Use for multiple use projects

Use	Required	Weekday			Weekend		
		Night Midnight to 6 AM	Day 9 AM to 4 PM	Evening 6 PM to Midnight	Day 9 AM to 4 PM	Evening 6 PM to Midnight	
Residential		100%	0	60%	0	90%	0
Office	23	5%	1.15	100%	23	10%	2.3
Commercial/Retail		5%	0	70%	0	90%	0
Hotel		80%	0	80%	0	100%	0
Restaurant	65	10%	6.5	50%	32.5	100%	65
Entertainment/Recreational (theatres, bowling alleys, etc)		10%	0	40%	0	100%	0
Reserved Parking		100%	0	100%	0	100%	0
Other		100%	0	100%	0	100%	0
TOTALS	88		8		56		67

- In accordance with the shared parking analysis, the property is required to provide a minimum of 67 parking spaces. The Pierre Delray II building is proposing to provide 62 parking spaces on-site and 9 spaces off-site (71 total), which exceed the minimum number of spaces required. The parking spaces on site are composed of 39 standard spaces (9'x18'), 18 compact spaces (8'x16'), and 5 handicap parking spaces (12'x18'). The plans provided show two of the parking spaces provided to be alternative fuel parking spaces, which complies with the minimum 3% requirement listed in Table 4.4.13(L).

The application indicates that the off-site parking spaces will be provided on the south parcel. Sheet A16a shows 8 standard parking spaces (9'x18') and 1 handicap parking space (12'x18') to be provided off-site. It is important

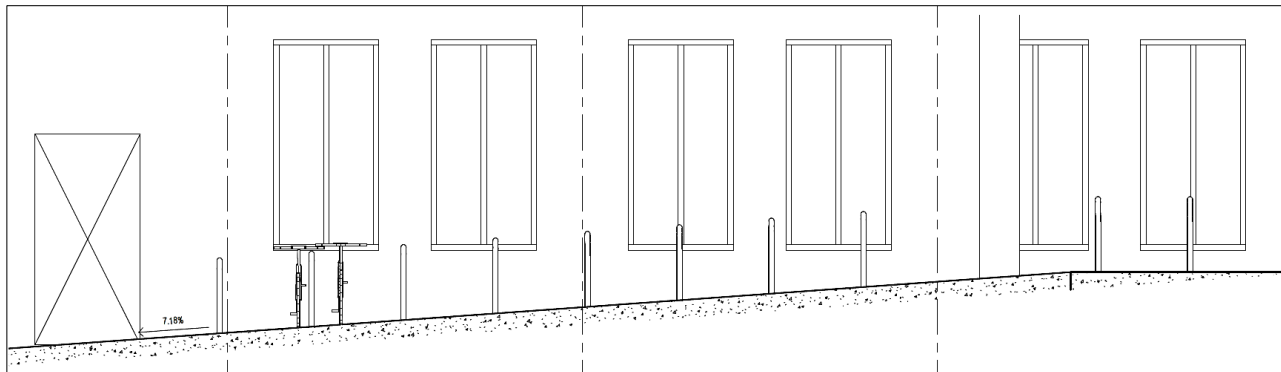


to note that an off-site parking agreement will be required to be provided prior to the site plan certification, and the parking spaces will need to be constructed with a separate approved site plan prior to the Certificate of Occupancy of the Pierre Delray II building.

Pursuant to LDR Section 4.4.13(I)(4), Table 4.4.13 (M), **Bicycle Parking Requirement**, the following table lists the number of bicycle parking spaces required and provided for each of the uses proposed on the subject site:

Use	Area	Required	Provided
Restaurant	5,442 sq. ft	1 per/1,000 sq. ft. = 5 spaces	-
Professional Office	11,762 sq. ft.	1 per/2,000 sq. ft. = 6 spaces	-
Total		11 Spaces	20 Spaces

- Per the aforementioned LDR section, the subject site is required to provide 11 bicycle parking spaces. The site plan provided indicates that 20 bicycle spaces will be provided on the inside of the parking garage near the entrance.



Supplemental District Regulations:

Lighting:

Pursuant to LDR section 4.6.8 (A)(3) table 2, **Photometric requirement**, on-site lighting must be provided and be consistent with the minimum and maximum foot-candle illumination level requirements. The following chart shows the photometric calculations proposed for the site:

Area	Requirements		Proposed	
	Minimum (fc)	Maximum (fc)	Minimum (fc)	Maximum (fc)
Building Entrance	1.0	10.0	0.5**	3.7
Property Line	0.0	0.25	0.0	2.9*
Parking Garage Area	1.0	10.0	0.8**	6.5
Parking Ramps (Day)	2.0	20	2.5	6.3
Parking Ramps (Night)	1.0	10	2.4	6.1
Parking Entrance (Day)	50	500	53.5	78.6
Parking Entrance (Night)	1.0	10	5.1	9.7
Stairways	2.0	5.0	2.0	7.6**
Roof Deck	1.0	10.0	0.5	4.6

Light Fixture Height	Maximum Allowed	Proposed
Commercial	25'	8'
Rooftop lighting	15' if within 20' of structure edge, 20' if greater than 20' from structure edge	15'

*The foot-candle values are higher on the property lines adjacent to NE 3rd Avenue and E. Atlantic Avenue because of the three arcades that are provided which requires lighting per 4.4.13 (E)(4)(f)2.d.



**Illuminating Engineering Society of North America (IES) cut sheets will be required demonstrating the higher or lower required foot candles prior to site plan certification. Otherwise, the foot candles will need to be increased or reduced to the minimum or maximum allowable foot candles prior to site plan certification.

- The photometric plans provided show slightly lower foot candle (fc) values at the building entrance (storefront) and slightly higher values at property line and in the stairwells. In accordance with the intent of LDR Section 4.6.8 (E), lighting may vary from this Section to the extent necessary to comply with specific state requirements as long as Illuminating Engineering Society of North America (IESNA) cut sheet are provided demonstrating need for the increased or decreased lighting values. No IESNA sheets have been provide to date. A note has been added to the staff report requiring that the IESNA cut sheets be provided or lighting values be adjusted, and revised plans be submitted to comply with the LDR section prior to site plan certification.

Architecture 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.*

The masonry modern design chosen for the Pierre Delray II is a compatible architectural style for buildings in the CBD. The style chosen complements the surrounding buildings in the downtown, most specifically, the Pierre Delray I building (fka. SunTrust Bank) to the east, Lionfish Restaurant to the north, and the Delray City Market on the southeast.



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.*
 - As mentioned, the building design is compatible with the downtown and will increase the overall aesthetic appearance of the community. Furthermore, the size and scale of the proposed building comply with the LDR requirements for the CBD.
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 site is currently a vacant parking lot. The proposed building will improve the aesthetics in the area, provide additional parking, and infill an unoccupied lot in the downtown.
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 with the scale and zoning of the properties adjacent to the site. The project complies with the goals, objectives, and policies (GOP) listed in the comprehensive plan. Specifically, the project furthers the GOP of the comprehensive plan by improving building aesthetics in the CBD, furthering economic growth, creation of local business, and providing additional restaurant/retail and office spaces to the downtown corridor.

Required Findings:

Pursuant to section 3.1.1 **Required Findings**, *prior to the approval of development applications, certain findings must be made in a form which is part of the official record. This may be achieved through information on the application, written materials submitted by the applicant, the staff report, or minutes. Findings shall be made by the body which has the authority to approve or deny the development application. These findings relate to the following areas:*

**Section 3.1.1 (A) - Land Use Map (LUM):**

The resulting use of land or structures must be allowed in the zoning district within which the land is situated and said zoning must be consistent with the applicable land use designation as shown on the Future Land Use Map.

- The subject property has a FLUM designation of Commercial Core (CC) and a Zoning map designation of Central Business District (CBD). The CBD zoning district is consistent with the CC LUM designation. In accordance with LDR section 4.4.13 (C)(3), Table 4.4.13 (A), general retail, services, and facilities (restaurants), and office uses as permitted principal uses in the CBD zoning district and on the ground floor for Required Retail corridors. The development is proposing restaurant and hotel lobby use on the ground floor in compliance with this LDR section.

Section 3.1.1 (B) – Concurrency:

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

- As described in Appendix “A”, a positive finding can be made in regard to water and sewer, streets and traffic, drainage, and solid waste.

Section 3.1.1 (C) – 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.

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

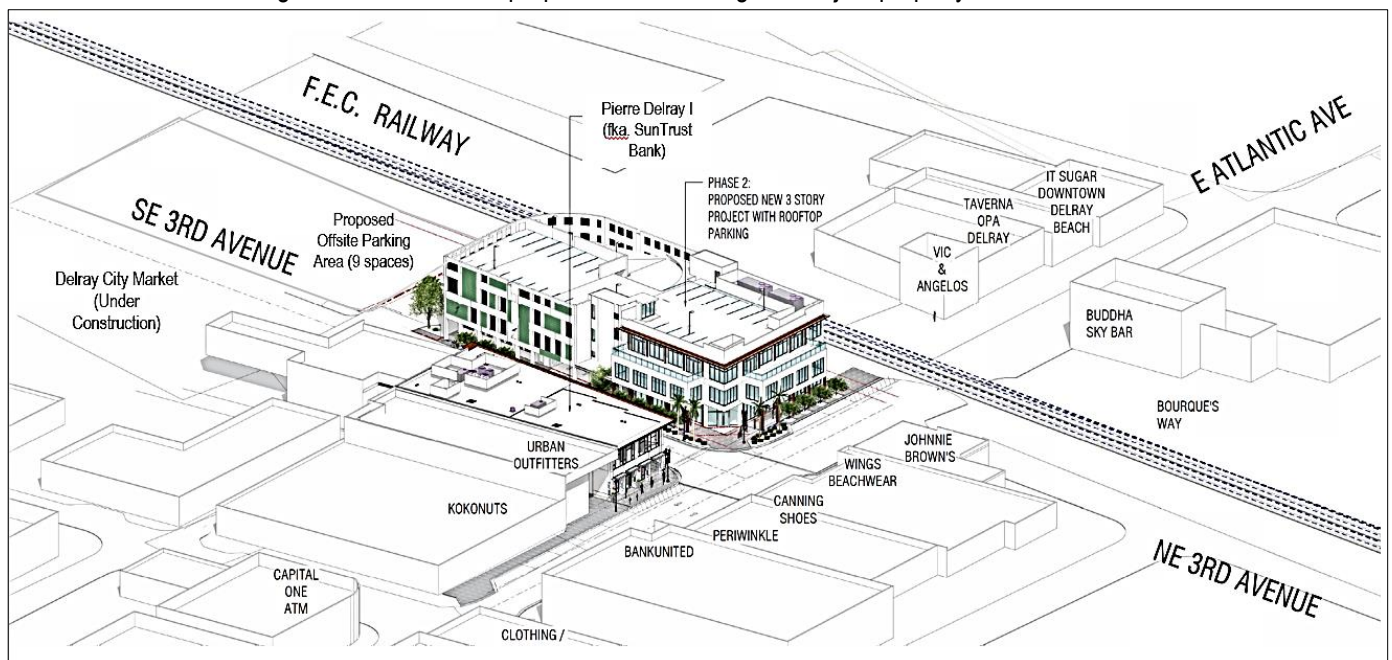
Section 3.1.1 (D) – Compliance with the LDRs:

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

- See the Site Plan Analysis section of this report.

Adjacent Land Uses:

Pursuant to LDR section 2.4.5(F)(5), **Adjacent land use designations**, “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 image indicates the zoning and land use of the properties surrounding the subject property:





	<i>Adjacent Zoning</i>	<i>Adjacent Future Land Use (LUM)</i>	<i>Current Use</i>
North	CBD – Central Core	Commercial Core (CC)	Retail Strip Development
East	CBD – Central Core	Commercial Core (CC)	Mixed Use Building (Office, Retail)
South	CBD – Central Core	Commercial Core (CC)	Retail buildings, vacant parking lot
West	CBD – Central Core	Commercial Core (CC)	Retail Strip Development

The subject site is adjacent to commercial developments consisting of office, retail and restaurant uses on all sides. The proposed restaurant/office building complies with the uses allowed in the CBD. The proposed project demonstrates compatible and harmonious assimilation with the adjacent and neighboring properties and will contribute to improving aesthetics in the downtown.

Comprehensive Plan Policies:

A review of the objectives and policies of the adopted “Always Delray” Comprehensive Plan was conducted, and the following applicable objectives or policies were noted.

Neighborhood, Districts and Corridors (Always Delray Comprehensive Plans)

Policy NDC 1.1.14: Continue to require that property be developed or redeveloped or accommodated, in a manner so that the 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.

- Pierre Delray II building is a 49,282 sq.ft., three-story retail/restaurant/office building with a built-in parking garage. The development is compatible in use, aesthetics, and scale with the adjacent buildings in the downtown. The Floor Area Ratio (FAR) for the building is 2.6 which is below the maximum 3.0 allowed in the Commercial Core. There are no conflicts between the proposed development and this policy.

Policy NDC 2.2.7 Within the Commercial Core, locate and design off-street parking areas in a manner that does not detract from the character by providing standards in the Land Development Regulations, such as locating parking to the side or rear of buildings, limiting size of lots, and landscaping and façade requirements. Large fields of parking between building facades and streets are generally not desirable.

- The proposed development furthers the character of the downtown by facing retail/restaurant and office uses on E. Atlantic Avenue (required retail), and by locating the three-story, 62 space parking garage to the rear of the development facing SE 3rd Avenue. The development provides efficient use of a small site (0.42 acres), by locating parking spaces through the site in commonly underutilized areas (i.e. roofs) and providing arcades (2nd-floor spaces with terraces).

Pursuant to LDR section 3.2.3 (B), All development shall provide pedestrian, bicycle, and vehicular interconnections to adjacent properties, where possible, and include accessible routes from the entry points of publicly-accessible buildings to the sidewalk network in accordance with the Americans with Disabilities Act (ADA).

- The subject site is not located along any bus or bicycle routes. The proposed development provides entry/access points on E. Atlantic Avenue and SE 3rd Avenue. The project provides 15' streetscapes along the avenues which provide adequate walking spaces and furthers pedestrian network. The project proposes three arcades that shade the sidewalks to improve walking conditions. The parking garage proposed includes bicycle parking spaces on the ground level which encourages a sustainable alternative to automobile transportation.

Review by Others:

Utility Providers:

Pursuant LDR section to 2.4.2 (C)(2)(a), Utility providers for gas, electricity, telephone, cable television, etc. shall be notified of the submission of a site plan or plat.

- Florida Power and Light (FPL) has indicated that the building may be too close to the distribution lines along the west side of the property and may not comply with Occupational Safety and Health Administration (OSHA) requirements. A note has been added to the report requiring compliance with the FPL comment prior to building



permit issuance. American Telephone & Telegraph (AT&T) is requiring the extension of the existing utility service line. Comcast and Florida Public Utilities Company (FPUC) indicated no comment.

Community Redevelopment Agency (CRA):

Pursuant to LDR section 2.4.2 (C)(1)(b), Notice of all development applications within its geographic limits of the CRA is required.

- A summary was provided to the CRA notifying the board of the project.

Downtown Development Authority (DDA):

Pursuant to LDR section 2.4.2 (C)(1)(a), a notice of all development applications within its geographic limits of the DDA is required.

- A summary was provided to the DDA notifying the board of the project. On May 11, 2020, the DDA voted 4-2 in favor of the project.

Courtesy Notices:

Pursuant to 2.4.2 (C)(3), courtesy notices have been provided to the following neighborhood associations:

- Pineapple Grove Main Street

*Letters of objection or support, if any, will be presented at the Site Plan Review and Appearance Board (SPRAB) meeting.

Appendix "A" – Concurrency Findings

Pursuant to LDR Section 3.1.1(B), *Concurrency, as defined by NDC 3.1 of the Neighborhoods, Districts, and Corridors Element of the adopted Comprehensive Plan must be met and a determination made that the public facility needs, including public schools, of the requested land use and/or development application will not exceed the ability of the City and The School District of Palm Beach County to fund and provide, or to require the provision of, needed capital improvements in order to maintain the Levels of Service Standards established in CIE-2, Level of Service Standards, of the Capital Improvements Element of the adopted Comprehensive Plan of the City of Delray Beach:*

Water and Sewer:

- Civil sheet C-501 shows a 6" sanitary sewer line connecting to the building from SE 3rd Avenue and a 3" water supply line connecting to existing 2" supply line.

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

Streets and Traffic:

Provided with the application was a traffic analysis created by Kimely-Horn. The statement mentions that the project will generate 401 new daily trips. The statement was provided to the Palm Beach County Traffic Division for review and met with approval.

Solid Waste:

Proposed Demand:

Restaurant: $5,442 \text{ gsf} \times 24.9\text{lbs} = 135,505.8 / 2,000 = 67.75 \text{ tons per year}$

Office: $11,762 \text{ gsf} \times 5.4\text{lbs} = 63,514.8 / 2,000 = 31.76 \text{ tons per year}$

Tonnage per year = 99.51 tons

The Pierre Delray II project will add approximately 99.51 tons of waste per year to the current demand. The Solid Waste Authority has indicated that its facilities have sufficient capacity to handle all development proposals until the year 2048.

Drainage:

Provided with the application was drainage calculations created by Bohler Engineering. The study mentions that the site proposes a new underground storage chamber vaulted system to treat water quality and capture stormwater runoff. The proposed underground storage vaulted system will capture the required water quality volume and the runoff difference in acre-feet of the pre vs. post 10-year 1-day storm event that the proposed project will generate. The proposed finish floor elevation (FFE) of the building is 15.52' NAVD, and because it is less than 18" above the adjacent crown of road along both frontages, a drainage investigation was performed to show the proposed FFE (15.52') is above the 100-year 3-day



peak stage elevation. In the event the 100-year 3-day storm occurs, water will stage up within the basin, then escape through lower elevation areas of the basin boundary. It was confirmed that the building FFE (15.52'NAVD) is above the 100-year storm peak stage. It is important to note that the project would be required to meet drainage provisions prior to building permit issuance.

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. All development shall provide pedestrian, bicycle, and vehicular interconnections to adjacent properties, where possible, and include accessible routes from the entry points of publicly-accessible buildings to the sidewalk network in accordance with the Americans with Disabilities Act (ADA).
- ☐ Not applicable
☒ Meets intent of standard
☐ Does not meet intent
- C. Open space enhancements and recreational amenities shall be provided to meet Objective OPR 1.4 and other requirements of the Goals, Objectives, and Policies, as applicable, of both the Open Space, Parks, and Recreation Element and Conservation Element.
- ☒ Not applicable
☐ Meets intent of standard
☐ Does not meet intent
- D. Any proposed street widening or modification to traffic circulation shall be evaluated by the City, and if found to have a detrimental impact upon or result in the degradation of an existing neighborhood, the request shall be modified or denied.
- ☐ Not applicable
☒ Meets intent of standard
☐ Does not meet intent
- E. Remaining infill lots within the Coastal High Hazard Area of the Coastal Planning Area shall be developed using zoning which is identical or similar to the zoning of adjacent properties or that results in less intense development.
- ☒ Not applicable
☐ Meets intent of standard
☐ Does not meet intent
- F. Property shall be developed or redeveloped in a manner so that the 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.
- ☐ 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. Consideration shall be given to the effect a development will have on the safety, livability, and stability of surrounding neighborhoods and residential areas. Factors such as but not limited to, noise, odors, dust, and traffic volumes and circulation patterns shall be reviewed and if found to result in a degradation of the surrounding areas, 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, teens, and adults 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
- K. Development shall not exceed the maximum limits established in the Table NDC-1, Land Use Designations: Density, Intensity, and Implementing Zoning Districts, of the Neighborhoods, Districts, and Corridors Element or specific standards established in the zoning districts that limit density (dwelling units per acre) or intensity (floor area ratio) and must adhere to whichever limit is lower. Development in areas included in density or incentive programs (i.e. workforce housing programs specified in Article 4.7-Family/Workforce Housing) may exceed the Standard density limit, up to the specified Revitalization/Incentive density established for the program; development in all other areas shall not exceed the Standard density.
- ☐ Not applicable
☒ Meets intent of standard
☐ Does not meet intent