

PLANNING AND ZONING BOARD

CITY OF DELRAY BEACH

---STAFF REPORT---

MEETING DATE: April 18, 2016

ITEM: **Metropolitan Plat:** Recommend Certification of the Final Plat associated with the Metropolitan Mixed-Use Development located at the northeast corner of SE 3rd Avenue and SE 1st Street.

GENERAL DATA:

Agent..... Caulfield & Wheeler, Inc.

Applicant/Owner..... The Metropolitan at Delray, LLC

Location..... Northeast corner of SE 3rd Ave. & SE 1st St.

Property Size..... 0.929 Acres (40,462 sq. ft.)

Current FLUM..... Central Core (CC)

Current Zoning..... Central Business District (CBD)

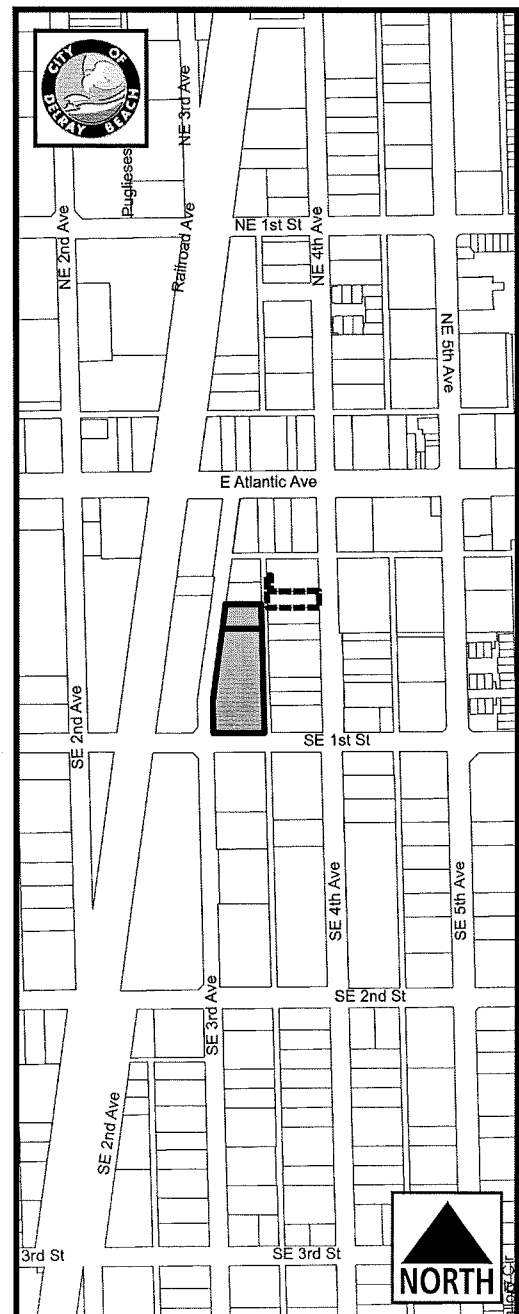
Adjacent Zoning..... North: Central Business District (CBD)
South: Central Business District (CBD)
East: Central Business District (CBD)
West: Central Business District (CBD)

Existing Land Use..... Surface Parking Lots

Proposed Land Use..... 5-story Mixed-Use Building

Water Service..... Available Via A Lateral Service Connection to Existing 4" Water Mains Located within the rear alleyway and SE 1st St. Right-of-Way

Sewer Service..... Available Via A Lateral Service Connection to Existing 8" Sanitary Sewer Mains Located within the rear alleyway and SE 3rd Ave. Right-of-Way



ITEM BEFORE THE BOARD

The item before the Board is to recommend certification of a final plat for a new mixed-use development to be platted as **Metropolitan Plat**. The subject property is located at the northeast corner of SE 3rd Avenue and SE 1st Street.

This plat is being processed pursuant to LDR Section 2.4.5(J), Major Subdivisions.

BACKGROUND

The subject property consists of Town Of Delray Lots 20 through 33 of Block 93 and measures 0.929 acres. The parcel has a Future Land Use Map (FLUM) designation of Central Core (CC) and is zoned Central Business District (CBD). The lots currently contain surface parking lots previously owned by SunTrust Bank.

On March 3, 2015, the City Commission approved a Parking Compliance Agreement between The Metropolitan, SunTrust Bank and the City of Delray Beach to resolve a 15-space parking deficit for SunTrust Bank created by future construction of The Metropolitan on existing surface parking lots owned by SunTrust Bank. This agreement calls for construction of seven off-site parking spaces along the rear alley and construction of an eight space angled parking lot east of the rear alley, to be provided exclusively for SunTrust Bank utilization in perpetuity. This agreement cannot be modified or dissolved without the expressed written consent of the City of Delray Beach.

On March 16, 2015, the Planning & Zoning Board recommended approval to the City Commission for conditional use requests for height and density to construct a 57 feet high, five-story, mixed-use development containing 48 condominium units on the combined 0.929 acre site, whereas the proposed density of 51.67 units per acre exceeds the maximum thirty (30) units per acre allowed and the proposed height of 57 feet exceeds the maximum 48 feet height permitted in the Central Core area of the Central Business District (CBD).

On April 21, 2015, the City Commission approved the conditional use requests for height and density and the applicant provided clarification that the five required workforce housing units would be 3BR/2BA each and provided off-site. Thus, all references to workforce housing units have been removed from the proposed development plans.

On June 10, 2015, the Site Plan Review and Appearance Board (SPRAB) approved a Class V Site Plan proposal to construct a 57 foot high, five-story, mixed-use development containing 48 condominium units on the upper levels and 3,741 sq. ft. of retail, 1,318 sq. ft. of office and covered parking on the ground level.

On February 2, 2016, the City Commission accepted a Landscape Maintenance Agreement for the Metropolitan which accompanied an approved landscape plan proposing a variety of trees, plants and groundcover within the public rights-of-way along SE 3rd Avenue and SE 1st Street.

On March 21, 2016, the Planning and Zoning Board conditionally approved the Preliminary plat associated with the Metropolitan Mixed-Use Development.

Now before the Board for consideration is to recommend Certification of the Final plat associated with the Metropolitan Mixed-Use Development.

PLAT DESCRIPTION

The approved Metropolitan mixed-use development proposes to remove the existing surface parking areas and construct a 57 foot high, five-story, mixed-use development containing 48 condominium units on the upper levels and 3,741 sq. ft. of retail, 1,318 sq. ft. of office and covered parking on the ground level, all within one phase.

The 0.929 Acre Metropolitan Plat will consist of Lots 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 of re-subdivision of Block 93, according to the public records of Palm Beach County as reflected in the Town of Delray Subdivision Plat (PB 10 PG 53), lying in Section 16, Township 46 South, Range 43 East of the City Of Delray Beach. The development proposal includes the aggregation of these 14 existing combined lots.

The plat includes "Parcel A" and "Tract RW". "Tract RW" consists of a 10' x 10' corner clip at the intersection of the alley and SE 1st Street, a 20' x 20' corner clip at the intersection of SE 3rd Avenue and SE 1st Street, a 5' right-of-way dedication along SE 3rd Avenue, a 2' right-of-way dedication along the alley and a 2.5' right-of-way dedication along SE 1st Street. "Parcel A" consists of the balance of the site, less the corner clips, alley right-of-way dedication and road right-of-way dedications as indicated in "Tract RW".

PLAT ANALYSIS

Pursuant to Section 3.1.1 (Required Findings) of the Land Development Regulations, prior to 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 in the application, the staff report, or minutes. Findings shall be made by the Board to approve or deny the development application. These findings relate to Future Land Use Map, Concurrency and Consistency with the Comprehensive Plan, and Compliance with the Land Development Regulations.

Pursuant to LDR Section 3.1.1(A) - Future Land Use Map: The use or structures must be allowed in the zoning district and the zoning district must be consistent with the land use designation.

The subject property has a Future Land Use Map designation of CC (Commercial Core), and a zoning designation of CBD (Central Business District). The CBD zoning is consistent with the Commercial Core FLUM designation. Pursuant to Table 4.4.13(A), Allowable Uses in the CBD Sub-Districts, in the Central Core, principle uses include retail and office uses, multiple family dwellings and parking garages. Based upon the above, a positive finding can be made with respect to consistency with the Future Land Use Map (FLUM) designation.

Pursuant to LDR Section 3.1.1(B) - Concurrency: As defined pursuant to Objective B-2 of the Land Use Element of the Comprehensive Plan, must be met and a determination made that the public facility needs of the requested land use and/or development application will not exceed the ability of the City to fund and provide, or to require the provision of, needed capital improvements for the following areas:

Water and Sewer:

Water service is available via a lateral service connection to existing 4" water mains located within the rear alleyway and SE 1st Street right-of-way. Sewer service is available via a lateral service connection to existing 8" sanitary sewer mains located within the rear alleyway and SE

3rd Avenue right-of-way. Pursuant to the City's Comprehensive Plan, treatment capacity is available at the City's Water Treatment Plant and the South Central County Waste Water Treatment Plant for the City at build-out. Based upon the above, positive findings can be made with respect to this level of service standard.

Streets and Traffic:

The subject property is located within the City's Transportation Concurrency Exception Area (TCEA), which encompasses the CBD, CBD-RC, OSSHAD, and West Atlantic Avenue Business Corridor. The TCEA exempts the above-described areas from complying with the Palm Beach County Traffic Performance Standards Ordinance. Therefore, a traffic study is not required for concurrency purposes. However, a traffic statement is necessary to keep a record of trips approved in the TCEA and for calculation of traffic impact fees. A traffic statement was prepared which indicates that the Metropolitan mixed-use development will generate an increase of 579 daily trips, 31 am peak hour trips and 55 pm peak hour trips. The Palm Beach County Traffic Division also issued a traffic concurrency determination letter on March 23, 2015 indicating development proposal compliance with Palm Beach County traffic standards, and that it is valid through build-out at the end of year 2018.

Parks and Recreation Facilities:

A park impact fee is collected to offset any impacts that the project may have on the City's recreational facilities. Pursuant to LDR Section 5.3.2, a park impact fee of \$500.00 per dwelling unit will be collected prior to issuance of a building permit for each unit. A total fee of \$24,000 will be required of this development for parks and recreation purposes, prior to building permit issuance.

Solid Waste:

For the Metropolitan site, the proposed 3,741 sq. ft. of retail generates a total of 19.07 tons of solid waste per year. The proposed 1,318 sq. ft. of office generates a total of 3.55 tons of solid waste per year. The proposed 48 dwelling units will generate a total of 24.96 tons of solid waste per year. Therefore, there will be a net increase of 47.58 tons per year with the proposed development of the site. The Solid Waste Authority has indicated that its facilities have sufficient capacity to handle all development proposals until the year 2047.

Schools:

The Palm Beach County School District has approved the development proposal for compliance with the adopted Level of Service for School Concurrency. Written verification from the Palm Beach County School District was received on April 1, 2016 and is valid until March 31, 2017.

Drainage:

Preliminary engineering and drainage plans have been submitted with the proposed development. Drainage will be accommodated via floor drains on the ground level of the parking garage that will connect to an exfiltration trench system. There are no problems anticipated in accommodating on-site drainage.

Section 3.1.1(C) - Consistency: Pursuant to Section 3.2.1 (Basis for Determining Consistency), the performance standards set forth in Section 3.2.3 (Standards for Site Plan and/or Plat Actions) shall be the basis upon which a finding of overall consistency is to be made.

As described in "Appendix A", a positive finding for consistency can be made as it relates to Standards for Plat Actions.

Comprehensive Plan - Consistency: Other objectives and policies found in the adopted Comprehensive Plan may be used in making a finding of overall consistency.

A review of the objectives and policies of the adopted Comprehensive Plan was conducted and the following applicable section was found relevant to this proposal:

Future Land Use Element - Objective A-1: Property shall be developed or redeveloped in a manner so that the future use and intensity is appropriate and complies in terms of soil, topographic, and other applicable physical considerations, is complimentary to adjacent land uses, and fulfills remaining land use needs.

The proposed Metropolitan mixed-use development will be a welcome addition to the downtown CBD (Central Business District) district. The proposed window and storefront design of the front architectural elevation is compatible and consistent with the urban architecture prevailing in other existing establishments. Therefore, the proposed development will be complementary to adjacent commercial and residential land uses.

Section 3.1.1(D) - Compliance with the Land Development Regulations (LDRs): Items identified in the Land Development Regulations shall specifically be addressed by the body taking final action on the site and development application/request.

LDR Section 5.3.1(A)(Plat Required):

A plat is required for the project, and was included as a condition of site plan approval. It combines fourteen existing individual lots and requires right-of-way dedications. Thus, it is considered a major subdivision of land.

CBD Zoning District Requirements:

It must be noted that this development application was submitted prior to the establishment of the Zoning-In-Progress that was in place while the new development regulations were processed for the Central Business District (CBD). This proposal is therefore reviewed in accordance with the regulations that were in effect at that time.

Specifically, the Conditional Use Requests, Class V Site Plan and Class II Site Plan Modification applications associated with The Metropolitan Mixed-Use Development were originally received on September 19, 2014. Subsequently, on October 7, 2014, the City Commission established Zoning-In-Progress (Resolution No. 54-14) pending adoption of revised Land Development Regulations for the Central Building District (CBD), which include a density allowance no higher than 30 dwelling units per acre and a maximum height allowance of fifty-four feet for projects within the Central Core (CC) Future Land Use Map designated areas. Zoning-In-Progress remained in effect until the changes (Ord. No. 03-15) were adopted by the City Commission on February 24, 2015. As such, the the Metropolitan mixed-use development complies with the CBD Zoning District development standards that were in effect as of September 19, 2014.

Right-of-Way Dedications:

SE 3rd Avenue: Pursuant to LDR Section 5.3.1 and Table T-1 of the Transportation Element of the City's Comprehensive Plan, the ultimate right-of-way width for S.E. 3rd Avenue is 60' where no curb and gutter exists and 50' where curb and gutter exists. Currently, only 40' of right-of-

way exists with curb and gutter. The applicant has chosen to voluntarily provide an additional five feet of right-of-way along the east side of SE 3rd Avenue. The proposed site plan, landscape plan and civil plans currently depict the five foot right-of-way dedication. Thus, this LDR requirement has been met.

SE 1st Street: Pursuant to LDR Section 5.3.1 and Table T-1 of the Transportation Element of the City's Comprehensive Plan, the ultimate right-of-way width for S.E. 1st Street is 55' and only 50' of right-of-way currently exists. The applicant has chosen to voluntarily provide an additional 2.5' of right-of-way along the north side of SE 1st Street. The proposed site plan, landscape plan and civil plans currently depict the 2.5' right-of-way dedication. Thus, this LDR requirement has been met.

16' Alley: Pursuant to LDR Section 5.3.1(D)(2), the required width of an alley is 20'. Further, pursuant to LDR Section 5.3.1(D)(3), additional right-of-way width may be required to promote public safety and welfare; to provide for storm water management; to provide adequate area for street trees; and to ensure adequate access, circulation and parking in high intensity use areas. The applicant has chosen to voluntarily provide an additional two feet of right-of-way along the west side of the alley. The proposed site plan, landscape plan and civil plans currently depict the two foot right-of-way dedication. Thus, this LDR requirement has been met.

Street Improvement Obligations:

Pursuant to LDR Section 6.1.2(A)(2)(a), when a street or alley is located on a boundary of a project, the project is responsible for providing one-half of the current costs of such improvements along its property line. When access to the project is provided from a local street and/or alley, then the project must provide appropriate traffic lanes meeting requirements of Section 5.3.1(C) in order to provide continuous paved access from the nearest paved street or alley to the subject property in addition to the improvements on its side of the center line of the right-of-way. The existing 16-foot alley right-of-way, which abuts the east property line of the subject property, is already improved. Paving of the additional two feet of alley right-of-way dedicated with this project is the obligation of the developer and will occur with construction of the project.

Sidewalks:

LDR Section 6.1.3(B)(1)(f) requires that sidewalks within the Central Business District be provided at a minimum of eight feet wide. The applicant has proposed minimum eight foot sidewalk widths along SE 1st Street and SE 3rd Avenue. Thus, this requirement is met.

Bus Shelter:

As noted earlier in this report, pursuant to Transportation Element A-1.5 of the Comprehensive Plan, the applicant shall provide a contribution of approximately one-half the cost of a bus shelter prior to certification of the site plan for the Metropolitan site which fronts along SE 1st Street served by the Palm Tran Route #81.

Undergrounding of Utilities:

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

REVIEW BY OTHERS

The development proposal is not located in an area which requires review by the Pineapple Grove Main Street (PGMS) or West Atlantic Redevelopment Coalition (WARC).

Community Redevelopment Agency:

The Community Redevelopment Agency (CRA) considered the Conditional Use requests to allow a density exceeding 30 dwelling units per acre (51.67 du/ac proposed) and a height exceeding 48 feet (57 feet proposed) at its meeting of March 12, 2015 and rendered a recommendation of approval for the height increase, but disapproved the density increase by a vote of 4-2. However, they supported the associated waiver to the density request to allow 50% (30% max. standard) one-bedroom units.

Downtown Development Authority:

The Downtown Development Authority (DDA) unanimously recommended approval of the Conditional Use requests to allow a density exceeding 30 dwelling units per acre (51.67 du/ac proposed) and a height exceeding 48' (57' proposed) at its meeting of March 9, 2015.

Courtesy Notices:

Courtesy notices have been provided to the following homeowner's and/or civic associations which have requested notice of developments in their areas:

- ☐ Delray Beach Chamber of Commerce
- ☐ Delray Citizen's Coalition
- ☐ The Courtyards of Delray
- ☐ Osceola Park
- ☐ Mallory Square

Public Notice:

Formal public notices were previously provided to property owners within a 500 feet radius of the subject property in association with the conditional use requests for height and density. Public notice signs were also erected along all public rights-of-way, as a part of the conditional use. To date, no letters objection have been received. Any letters of support or objection, received after the preparation of this staff report, will be presented at the Planning & Zoning Board meeting.

ASSESSMENT AND CONCLUSION

The proposed plat is consistent with CBD (Central Business District) Zoning and Future Land Use Map (FLUM) designation for the subject property. Positive findings can be made with respect to LDR Section 2.4.5(J)(Major Subdivisions), LDR Section 3.1.1 (Required Findings), Section 3.2.3 (Standards for Plat Actions) and the Goals, Objectives and Policies of the Comprehensive Plan. All prior preliminary plat conditions have been satisfied that allows a recommendation to certify the Final Plat by the Planning and Zoning Board. Pending Planning and Zoning Board recommendation of approval to certify the Final Plat, it will be scheduled for subsequent City Commission review and approval.

ALTERNATIVE ACTIONS

- A. Continue with direction.
- B. Move to recommend approval to the City Commission for Certification of the Final plat for the **Metropolitan Plat**, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations Section 2.4.5(J)(Major Subdivisions), Section 3.2.3 (Standards for Plat Actions) and Section 3.1.1 (Required Findings), subject to conditions.
- C. Deny the final plat with basis stated.

STAFF RECOMMENDATION

Move to recommend approval to the City Commission for Certification of the Final plat for the **Metropolitan Plat**, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Land Development Regulations Section 2.4.5(J)(Major Subdivisions), Section 3.2.3 (Standards for Plat Actions) and Section 3.1.1 (Required Findings).

Staff Report Prepared By: Candi N. Jefferson, Senior Planner

Attachments: Appendix A, Proposed Plat, Revised School Concurrency Letter, PZB Staff Report of March 21, 2016

**APPENDIX A
STANDARDS FOR PLAT 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. Vacant property shall be developed 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 X

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 X
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.**

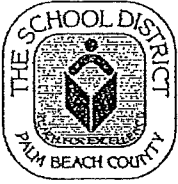
Not applicable _____
Meets intent of standard X
Does not meet intent _____

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



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FL

KRISTIN GARRISON
DIRECTOR

MICHAEL J. BURKE
CHIEF OPERATING OFFICER

PLANNING AND INTERGOVERNMENTAL RELATIONS
3661 INTERSTATE PARK ROAD N., BLDG. 200
RIVIERA BEACH, FL 33404

STEVEN G. BONINO
CHIEF OF SUPPORT OPERATIONS

PHONE: 561-434-8042/ FAX: 561-882-1942
WWW.PALMBEACHSCHOOLS.ORG/PLANNING

April 1, 2016

Ms. Jennifer Hindin, LEED AP
Richard Jones Architecture, Inc.
10 S.E. First Avenue, Suite 102
Delray Beach, FL 33444

RE: CONCURRENCY DETERMINATION - CASE NUMBER #16033001C, THE METROPOLITAN

Dear Ms. Hindin:

The Palm Beach County School District has reviewed the request for a Concurrency Determination on the above referenced project for 48 multi-family units.

Attached please find the approved Palm Beach County School District Concurrency Application and Service Provider Form for The Metropolitan. This Concurrency Determination is valid for one (1) year from the date of issuance. Once a Development Order has been issued for the project prior to March 31, 2017, the concurrency determination will be valid for the life of the Development Order.

Please be advised that this concurrency approval will replace the previous approval for 48 multi-family units under case# 15040701C.

In order to maintain this concurrency approval, please send us a copy of the related development order as soon as you obtain it. If this office does not receive a copy of a development order by March 31, 2017, this concurrency approval will become null and void.

If you have any questions regarding this determination, please feel free to contact me at (561) 882-1941.

Sincerely,

Joyce C. Cai
Senior Planner

ADU:JCC:ml
Attachment

cc: Candi Jefferson, Senior Planner, City of Delray Beach
Angela D. Usher, Manager, School District of Palm Beach County

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BEING A REPLAT OF LOTS 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 AND 33, BLOCK 93 OF RE-SUBDIVISION OF BLOCK 93 CITY OF DELRAY, PALM BEACH COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 10, PAGES 53, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, Lying in SECTION 16, TOWNSHIP 46 SOUTH, RANGE 43 EAST, CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA

THIS INSTRUMENT WAS PREPARED BY
DAVID P. LINDLEY, PLS.

OF
CALLFIELD and WHEELER INC

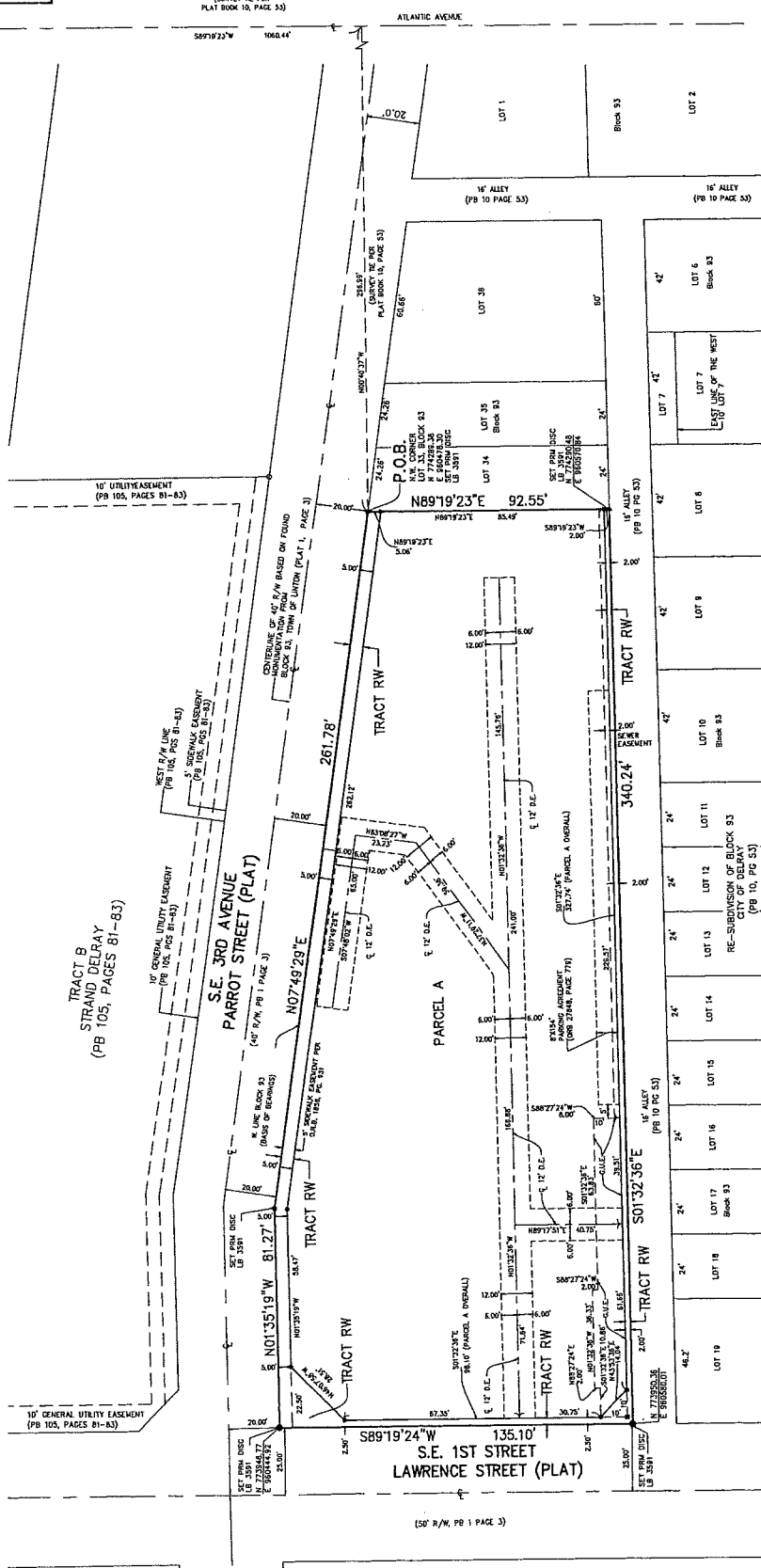
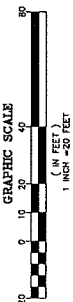
ENGINEERS - PLANNERS - SURVEYORS

7900 GLADES ROAD, SUITE 100
BOCA RATON, FLORIDA 33434 - (561)392-1991

STATE OF FLORIDA
COUNTY OF PALM BEACH
THIS PLAT WAS FILED FOR
RECORD AT _____ M.
THIS _____ DAY OF _____
A.D. 2016 AND DULY RECORDED
IN PLAT BOOK _____ DN
PAGES _____ THRU _____
SHARON R. BOCK
CLERK AND COMPTROLLER

BY: _____
VERACITY OF FACTS

SHEET 2 OF 2



1. IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES ARE REQUIRED, THE FIRST PRIORITY EASEMENTS SHALL HAVE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY, AND EASEMENTS FOR THE SUBORDINATE TO THOSE WITH THEIR PRIORITY BEING DETERMINED BY USE RIGHTS GRANTED.

2. BUILDING SEWER LINES SHALL BE AS REQUIRED BY THE CITY OF CHICAGO. THERE SHALL BE NO BUILDINGS OR ANY KIND OF CONSTRUCTION PLACED ON WATER, SEWER OR DRAINAGE EASEMENTS NO BEACH MAINTAINED WATER, SEWER OR DRAINAGE EASEMENTS TO FEET FROM ANY EXISTING OR PROPOSED CITY OF CHICAGO BEACH MAINTAINED WATER, SEWER OR DRAINAGE EASEMENTS. CONSTRUCTION ON LANDSCAPING UNIFORM MAINTENANCE ACCESS EASEMENTS MUST BE IN CONFORMANCE WITH ALL BUILDING AND ZONING CODES AND/OR ORDINANCES.

4. THERE SHALL BE NO FEES OR CHARGES PLACED ON THE RECORDS OF THE CITY OF HOUSTON AND NO OTHER UTILITY EXEMPTIONS, UNLESS THE CITY OF HOUSTON HAS BEEN ADVISED IN WRITING BY THE UTILITY COMPANY THAT SUCH RECORDS ARE REQUIRED FOR THE PROPER OPERATION OF THE UTILITY COMPANY.
5. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE CITY OF HOUSTON WHICH IS HEREBY GRANTED THE RIGHT OF ACCESS FOR EMERGENCY AND MAINTENANCE PURPOSES.
6. BEARINGS ARE RELATIVE TO A GRID BEARING OF 107°14'28"E.
7. P.L.M. - INDICATES SET 4" X 4" PIPERAMONT REFERENCE MONUMENT MARKED NO. 18 3591.
8. S.F. - DONATES SQUARE FEET
9. C. - DONATES CONTINGING

1. D.E. - DRAINAGE EASEMENT
2. ACCESS FOR POWER AND LIGHT - RIGHT OF ACCESS FOR DRAINAGE AND MAINTENANCE PURPOSES.
3. FFL - FLORIDA POWER AND LIGHT COMPANY
4. GLE - DONOR'S GENERAL UTILITY EASEMENT
5. L - LICENSED BUSINESS
6. LUT - LICENSED UTILITY TRUNK AND DRAINAGE
7. ALL RECORDING REFERENCES ARE RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY.
8. "NOTICE" THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL CERTIFICATION OF THE SUBMARGED LANDS DEPARTMENT AND WILL, IN NO CIRCUMSTANCES BE CONSIDERED A BASIS FOR ANY OTHER RECORDING. ANY ADDITIONAL DESCRIPTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT ARE FOUND IN THE PUBLIC RECORDS OF PALM BEACH COUNTY.

19. NAD - NORTH AMERICAN DATUM
20. NTS - NOT TO SCALE
21. P.B. - PROVIDES OFFICIAL RECORDS BOOK
22. PLAN - PLANNED
23. PG(S) - PAGE(S)
24. S.E. - SEWER EASEMENT
25. W.E. - WATER EASEMENT
26. 5" - 5/8" IR/CAP LB 3581
27. FND. - FOUND
28. P.O.B. - POINT OF BEGINNING
29. R/W - RIGHT-OF-WAY

NAME	SQUARE FEET	ACRES
PARCEL A	37,497	0.861
TRACT RW	2,968	0.068
TOTAL	40,465	0.928

COORDINATES, BEARINGS AND DISTANCES

COORDINATES SHOWN ARE GRID
DANQUA TOWN, MISSISSIPPI
UNCLER UNIT - US SURVEY FEET
COORDINATE SYSTEM 1983 STATE PLANE
TRANSFORMATION NAD 83
ALL DISTANCES ARE GROUND
SCALE FACTOR = 1.00004187

GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

BEARINGS AS SHOWN HEREON ARE RELATIVE TO A GRID
BEARING ALONG THE NORTH LINE BLOCK 93 RE-ABRIDGMENT OF
SECTION 53, CITY OF DELRAY PALM BEACH COUNTY, FLORIDA
COORDINATES SHOWN ON THE CONTROL P.A.L.S
MEET OR EXCEED THE LOCAL ACCURACY REQUIREMENTS

PLANNING AND ZONING BOARD

CITY OF DELRAY BEACH

---STAFF REPORT---

MEETING DATE: March 21, 2016

ITEM: **Metropolitan Plat:** Consideration of the Preliminary Plat associated with the Metropolitan Mixed-Use Development located at the northeast corner of SE 3rd Avenue and SE 1st Street.

RECOMMENDATION: Move a recommendation of approval to the City Commission for the Preliminary Plat for the Metropolitan Plat.

GENERAL DATA:

Agent..... Caulfield & Wheeler, Inc.

Applicant/Owner..... The Metropolitan at Delray, LLC

Location..... Northeast corner of SE 3rd Ave. & SE 1st St.

Property Size..... 0.929 Acres (40,462 sq. ft.)

Current FLUM..... Central Core (CC)

Current Zoning..... Central Business District (CBD)

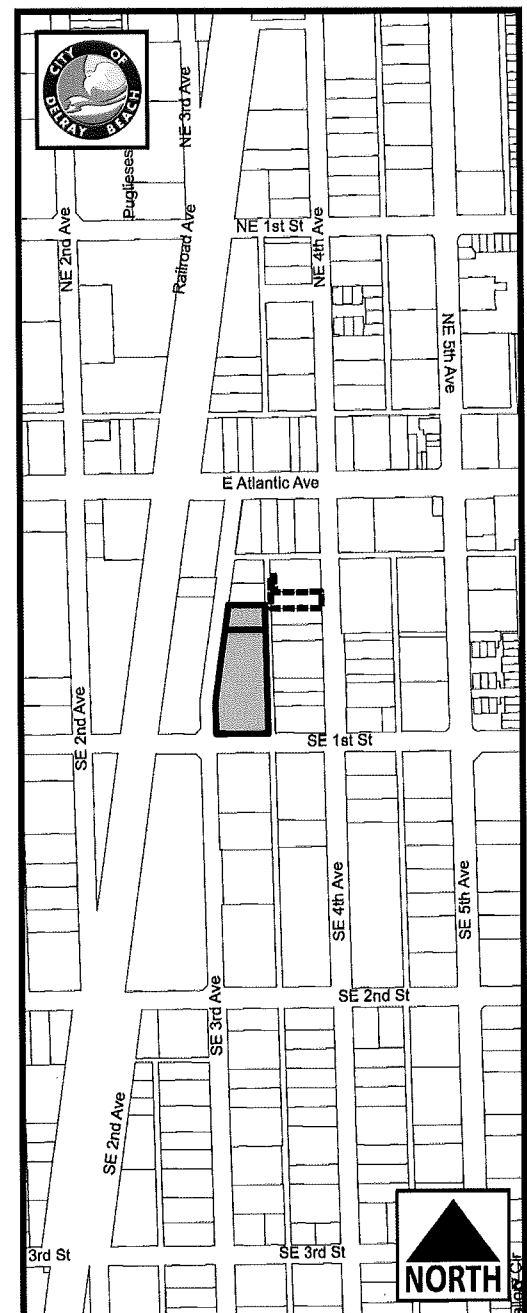
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South: Central Business District (CBD)
East: Central Business District (CBD)
West: Central Business District (CBD)

Existing Land Use..... Surface Parking Lots

Proposed Land Use..... 5-story Mixed-Use Building

Water Service..... Available Via A Lateral Service Connection to Existing 4" Water Mains Located within the rear alleyway and SE 1st St. Right-of-Way

Sewer Service..... Available Via A Lateral Service Connection to Existing 8" Sanitary Sewer Mains Located within the rear alleyway and SE 3rd Ave. Right-of-Way



ITEM BEFORE THE BOARD

The item before the Board is that of approval of a preliminary plat for a new mixed-use development to be platted as **Metropolitan Plat**. The subject property is located at the northeast corner of SE 3rd Avenue and SE 1st Street.

This plat is being processed pursuant to LDR Section 2.4.5(J), Major Subdivisions.

BACKGROUND

The subject property consists of Town Of Delray Lots 20 through 33 of Block 93 and measures 0.929 acres. The parcel has a Future Land Use Map (FLUM) designation of Central Core (CC) and is zoned Central Business District (CBD). The lots currently contain surface parking lots previously owned by SunTrust Bank.

On March 3, 2015, the City Commission approved a Parking Compliance Agreement between The Metropolitan, SunTrust Bank and the City of Delray Beach to resolve a 15-space parking deficit for SunTrust Bank created by future construction of The Metropolitan on existing surface parking lots owned by SunTrust Bank. This agreement calls for construction of seven off-site parking spaces along the rear alley and construction of an eight space angled parking lot east of the rear alley, to be provided exclusively for SunTrust Bank utilization in perpetuity. This agreement cannot be modified or dissolved without the expressed written consent of the City of Delray Beach.

On March 16, 2015, the Planning & Zoning Board recommended approval to the City Commission for conditional use requests for height and density to construct a 57 feet high, five-story, mixed-use development containing 48 condominium units on the combined 0.929 acre site, whereas the proposed density of 51.67 units per acre exceeds the maximum thirty (30) units per acre allowed and the proposed height of 57 feet exceeds the maximum 48 feet height permitted in the Central Core area of the Central Business District (CBD).

On April 21, 2015, the City Commission approved the conditional use requests for height and density and the applicant provided clarification that the five required workforce housing units would be 3BR/2BA each and provided off-site. Thus, all references to workforce housing units have been removed from the proposed development plans.

On June 10, 2015, the Site Plan Review and Appearance Board (SPRAB) approved a Class V Site Plan proposal to construct a 57 feet high, five-story, mixed-use development containing 48 condominium units on the upper levels and 3,741 sq. ft. of retail, 1,318 sq. ft. of office and covered parking on the ground level.

On February 2, 2016, the City Commission accepted a Landscape Maintenance Agreement for the Metropolitan which accompanied an approved landscape plan proposing a variety of trees, plants and groundcover within the public rights-of-way along SE 3rd Avenue and SE 1st Street.

Now before the Board for consideration is approval of the Preliminary Plat associated with the Metropolitan Mixed-Use Development.

PLAT DESCRIPTION

The approved Metropolitan mixed-use development proposes to demolish the existing surface parking areas and construct a 57 feet high, five-story, mixed-use development containing 48 condominium units on the upper levels and 3,741 sq. ft. of retail, 1,318 sq. ft. of office and covered parking on the ground level, all within one phase.

The 0.929 Acre Metropolitan Plat will consist of Lots 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 of re-subdivision of Block 93, according to the public records of Palm Beach County as reflected in the Town of Delray Subdivision Plat (PB 10 PG 53), lying In Section 16, Township 46 South, Range 43 East of the City Of Delray Beach. The development proposal includes the aggregation of these 14 existing combined lots.

The plat includes "Parcel A" and "Tract RW". "Tract RW" consists of a 10' x 10' corner clip at the intersection of the alley and SE 1st Street, a 20' x 20' corner clip at the intersection of SE 3rd Avenue and SE 1st Street, a 5' right-of-way dedication along SE 3rd Avenue, and a 2.5' right-of-way dedication along SE 1st Street. "Parcel A" consists of the balance of the site, less the corner clips, alley right-of-way dedication and road right-of-way dedications as indicated in "Tract RW".

PLAT ANALYSIS

Pursuant to Section 3.1.1 (Required Findings) of the Land Development Regulations, prior to 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 in the application, the staff report, or minutes. Findings shall be made by the Board to approve or deny the development application. These findings relate to Future Land Use Map, Concurrency and Consistency with the Comprehensive Plan, and Compliance with the Land Development Regulations.

Pursuant to LDR Section 3.1.1(A) - Future Land Use Map: The use or structures must be allowed in the zoning district and the zoning district must be consistent with the land use designation.

The subject property has a Future Land Use Map designation of CC (Commercial Core), and a zoning designation of CBD (Central Business District). The CBD zoning is consistent with the Commercial Core FLUM designation. Pursuant to Table 4.4.13(A), Allowable Uses in the CBD Sub-Districts, in the Central Core, principle uses include retail and office uses, multiple family dwellings and parking garages. Based upon the above, a positive finding can be made with respect to consistency with the Future Land Use Map (FLUM) designation.

Pursuant to LDR Section 3.1.1(B) - Concurrency: As defined pursuant to Objective B-2 of the Land Use Element of the Comprehensive Plan, must be met and a determination made that the public facility needs of the requested land use and/or development application will not exceed the ability of the City to fund and provide, or to require the provision of, needed capital improvements for the following areas:

Water and Sewer:

Water service is available via a lateral service connection to existing 4" water mains located within the rear alleyway and SE 1st Street right-of-way. Sewer service is available via a lateral service connection to existing 8" sanitary sewer mains located within the rear alleyway and SE 3rd Avenue right-of-way. Pursuant to the City's Comprehensive Plan, treatment capacity is

available at the City's Water Treatment Plant and the South Central County Waste Water Treatment Plant for the City at build-out. Based upon the above, positive findings can be made with respect to this level of service standard.

Streets and Traffic:

The subject property is located within the City's Transportation Concurrency Exception Area (TCEA), which encompasses the CBD, CBD-RC, OSSHAD, and West Atlantic Avenue Business Corridor. The TCEA exempts the above-described areas from complying with the Palm Beach County Traffic Performance Standards Ordinance. Therefore, a traffic study is not required for concurrency purposes. However, a traffic statement is necessary to keep a record of trips approved in the TCEA and for calculation of traffic impact fees. A traffic statement was prepared which indicates that the Metropolitan mixed-use development will generate an increase of 579 daily trips, 31 am peak trips and 55 pm peak hour trips. The Palm Beach County Traffic Division also issued a traffic concurrency determination letter on March 23, 2015 indicating development proposal compliance with Palm Beach County traffic standards and is valid through build-out at the end of year 2018.

Parks and Recreation Facilities:

A park impact fee is collected to offset any impacts that the project may have on the City's recreational facilities. Pursuant to LDR Section 5.3.2, a park impact fee of \$500.00 per dwelling unit will be collected prior to issuance of a building permit for each unit. A total fee of \$24,000 will be required of this development for parks and recreation purposes, prior to building permit issuance.

Solid Waste:

For the Metropolitan site, the proposed 3,741 sq. ft. of retail generates a total of 19.07 tons of solid waste per year. The proposed 1,318 sq. ft. of office generates a total of 3.55 tons of solid waste per year. The proposed 48 dwelling units will generate a total of 24.96 tons of solid waste per year. Therefore, there will be a net increase of 47.58 tons per year with the proposed development of the site. The Solid Waste Authority has indicated that its facilities have sufficient capacity to handle all development proposals until the year 2047.

Schools:

The Palm Beach County School District has approved the development proposal for compliance with the adopted Level of Service for School Concurrency. Written verification from the Palm Beach County School District was received on April 8, 2015 and is valid until April 7, 2016. Given the potential that a permit may not be pulled before April 7, 2016, an updated school concurrency letter must be provided and be currently valid prior to scheduling before City Commission.

Drainage:

Preliminary engineering and drainage plans have been submitted with the proposed development. Drainage will be accommodated via floor drains on the ground level of the parking garage that will connect to an exfiltration trench system. There are no problems anticipated in accommodating on-site drainage.

Section 3.1.1(C) - Consistency: Pursuant to Section 3.2.1 (Basis for Determining Consistency), the performance standards set forth in Section 3.2.3 (Standards for Site

Plan and/or Plat Actions) shall be the basis upon which a finding of overall consistency is to be made.

As described in "Appendix A", a positive finding for consistency can be made as it relates to Standards for Plat Actions.

Comprehensive Plan - Consistency: Other objectives and policies found in the adopted Comprehensive Plan may be used in making a finding of overall consistency.

A review of the objectives and policies of the adopted Comprehensive Plan was conducted and the following applicable section was found relevant to this proposal:

Future Land Use Element - Objective A-1: Property shall be developed or redeveloped in a manner so that the future use and intensity is appropriate and complies in terms of soil, topographic, and other applicable physical considerations, is complimentary to adjacent land uses, and fulfills remaining land use needs.

The proposed Metropolitan mixed-use development will be a welcome addition to the downtown CBD (Central Business District) district. The proposed window and storefront design of the front architectural elevation is compatible and consistent with the urban architecture prevailing in other existing establishments. Therefore, the proposed development will be complementary to adjacent commercial and residential land uses.

Section 3.1.1(D) - Compliance with the Land Development Regulations (LDRs): Items identified in the Land Development Regulations shall specifically be addressed by the body taking final action on the site and development application/request.

LDR Section 5.3.1(A)(Plat Required):

A plat is required for the project, and was included as a condition of site plan approval. It combines fourteen existing individual lots and requires right-of-way dedications. Thus, it is considered a major subdivision of land.

CBD Zoning District Requirements:

It must be noted that this development application was submitted prior to the establishment of the Zoning-In-Progress that was in place while the new development regulations were processed for the Central Business District (CBD). This proposal is therefore reviewed in accordance with the regulations that were in effect at that time.

Specifically, the Conditional Use Requests, Class V Site Plan and Class II Site Plan Modification applications associated with The Metropolitan Mixed-Use Development were originally received on September 19, 2014. Subsequently, on October 7, 2014, the City Commission established Zoning-In-Progress (Resolution No. 54-14) pending adoption of revised Land Development Regulations for the Central Building District (CBD), which include a density allowance no higher than 30 dwelling units per acre and a maximum height allowance of fifty-four feet for projects within the Central Core (CC) Future Land Use Map designated areas. Zoning-In-Progress remained in effect until the changes (Ord. No. 03-15) were adopted by the City Commission on February 24, 2015. As such, the the Metropolitan mixed-use development complies with the CBD Zoning District development standards that were in effect as of September 19, 2014.

Right-of-Way Dedications:

SE 3rd Avenue: Pursuant to LDR Section 5.3.1 and Table T-1 of the Transportation Element of the City's Comprehensive Plan, the ultimate right-of-way width for S.E. 3rd Avenue is 60' where no curb and gutter exists and 50' where curb and gutter exists. Currently, only 40' of right-of-way exists with curb and gutter. The applicant has chosen to voluntarily provide an additional five feet of right-of-way along the east side of SE 3rd Avenue. The proposed site plan, landscape plan and civil plans currently depict the five foot right-of-way dedication. Thus, this LDR requirement has been met.

SE 1st Street: Pursuant to LDR Section 5.3.1 and Table T-1 of the Transportation Element of the City's Comprehensive Plan, the ultimate right-of-way width for S.E. 1st Street is 55' and only 50' of right-of-way currently exists. The applicant has chosen to voluntarily provide an additional 2.5' of right-of-way along the north side of SE 1st Street. The proposed site plan, landscape plan and civil plans currently depict the 2.5' right-of-way dedication. Thus, this LDR requirement has been met.

16' Alley: Pursuant to LDR Section 5.3.1(D)(2), the required width of an alley is 20'. Further, pursuant to LDR Section 5.3.1(D)(3), additional right-of-way width may be required to promote public safety and welfare; to provide for storm water management; to provide adequate area for street trees; and to ensure adequate access, circulation and parking in high intensity use areas. The applicant has chosen to voluntarily provide an additional two feet of right-of-way along the west side of the alley. The proposed site plan, landscape plan and civil plans currently depict the two foot right-of-way dedication. Thus, this LDR requirement has been met.

Street Improvement Obligations:

Pursuant to LDR Section 6.1.2(A)(2)(a), when a street or alley is located on a boundary of a project, the project is responsible for providing one-half of the current costs of such improvements along its property line. When access to the project is provided from a local street and/or alley, then the project must provide appropriate traffic lanes meeting requirements of Section 5.3.1(C) in order to provide continuous paved access from the nearest paved street or alley to the subject property in addition to the improvements on its side of the center line of the right-of-way. The existing 16-foot alley right-of-way, which abuts the east property line of the subject property, is already improved. Paving of the additional two feet of alley right-of-way dedicated with this project is the obligation of the developer and will occur with construction of the project.

Sidewalks:

LDR Section 6.1.3(B)(1)(f) requires that sidewalks within the Central Business District be provided at a minimum of eight feet wide. The applicant has proposed minimum eight foot sidewalk widths along SE 1st Street and SE 3rd Avenue. Thus, this requirement is met.

Bus Shelter:

As noted earlier in this report, pursuant to Transportation Element A-1.5 of the Comprehensive Plan, the applicant shall provide a contribution of approximately one-half the cost of a bus shelter prior to certification of the site plan for the Metropolitan site which fronts along SE 1st Street served by the Palm Tran Route #81.

Undergrounding of Utilities:

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

REVIEW BY OTHERS

The development proposal is not located in an area which requires review by the Pineapple Grove Main Street (PGMS) or West Atlantic Redevelopment Coalition (WARC).

Community Redevelopment Agency:

The Community Redevelopment Agency (CRA) considered the Conditional Use requests to allow a density exceeding 30 dwelling units per acre (51.67 du/ac proposed) and a height exceeding 48 feet (57 feet proposed) at its meeting of March 12, 2015 and rendered a recommendation of approval for the height increase, but disapproved the density increase by a vote of 4-2. However, they supported the associated waiver to the density request to allow 50% (30% max. standard) one-bedroom units.

Downtown Development Authority:

The Downtown Development Authority (DDA) unanimously recommended approval of the Conditional Use requests to allow a density exceeding 30 dwelling units per acre (51.67 du/ac proposed) and a height exceeding 48' (57' proposed) at its meeting of March 9, 2015.

Courtesy Notices:

Courtesy notices have been provided to the following homeowner's and/or civic associations which have requested notice of developments in their areas:

- ☐ Delray Beach Chamber of Commerce
- ☐ Delray Citizen's Coalition
- ☐ The Courtyards of Delray
- ☐ Osceola Park
- ☐ Mallory Square

Public Notice:

Formal public notices were previously provided to property owners within a 500 feet radius of the subject property in association with the conditional use requests for height and density. Public notice signs were also erected along all public rights-of-way, as a part of the conditional use. To date, no letters objection have been received. Any letters of support or objection, received after the preparation of this staff report, will be presented at the Planning & Zoning Board meeting.

ASSESSMENT AND CONCLUSION

The proposed plat is consistent with CBD (Central Business District) Zoning and Future Land Use Map (FLUM) designation for the subject property. Positive findings can be made with respect to LDR Section 2.4.5(J)(Major Subdivisions), LDR Section 3.1.1 (Required Findings), Section 3.2.3 (Standards for Plat Actions) and the Goals, Objectives and Policies of the Comprehensive Plan. All conditions attached to this approval must be satisfied prior to certification of the Final Plat by the Planning and Zoning Board and in advance of scheduling for City Commission review and approval.

ALTERNATIVE ACTIONS

- A. Continue with direction.
- B. Move a recommendation of approval to the City Commission for the Preliminary Plat for the **Metropolitan Plat**, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations Section 2.4.5(J)(Major Subdivisions), Section 3.2.3 (Standards for Plat Actions) and Section 3.1.1 (Required Findings), subject to conditions.
- C. Deny the preliminary plat with basis stated.

STAFF RECOMMENDATION

Move a recommendation of approval to the City Commission for the Preliminary Plat for the **Metropolitan Plat**, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Land Development Regulations Section 2.4.5(J)(Major Subdivisions), Section 3.2.3 (Standards for Plat Actions) and Section 3.1.1 (Required Findings), subject to the following conditions:

- 1. Prior to certification of the Final Plat by the Planning and Zoning Board and in advance of scheduling for City Commission review and approval, the following must be addressed:
 - a. Provide updated school concurrency letter, valid through 2017.
 - b. Update the square footage calculations on the tabular data chart to reflect consistency on both Sheets 1 and 2 of the Metropolitan Plat.

Attachments: Appendix A, Proposed Plat, SPRAB Staff Report of September 10, 2015

**APPENDIX A
STANDARDS FOR PLAT 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 _____
Does not meet intent _____

 X

- B. Separation of different forms of transportation shall be encouraged. This includes pedestrians, bicyclists, and vehicles in a manner consistent with policies found under Objectives D-1 and D-2 of the Transportation Element.**

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

 X

- 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 _____
Does not meet intent _____

 X

- 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. Vacant property shall be developed 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 X
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 X
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 _____
Meets intent of standard X
Does not meet intent _____

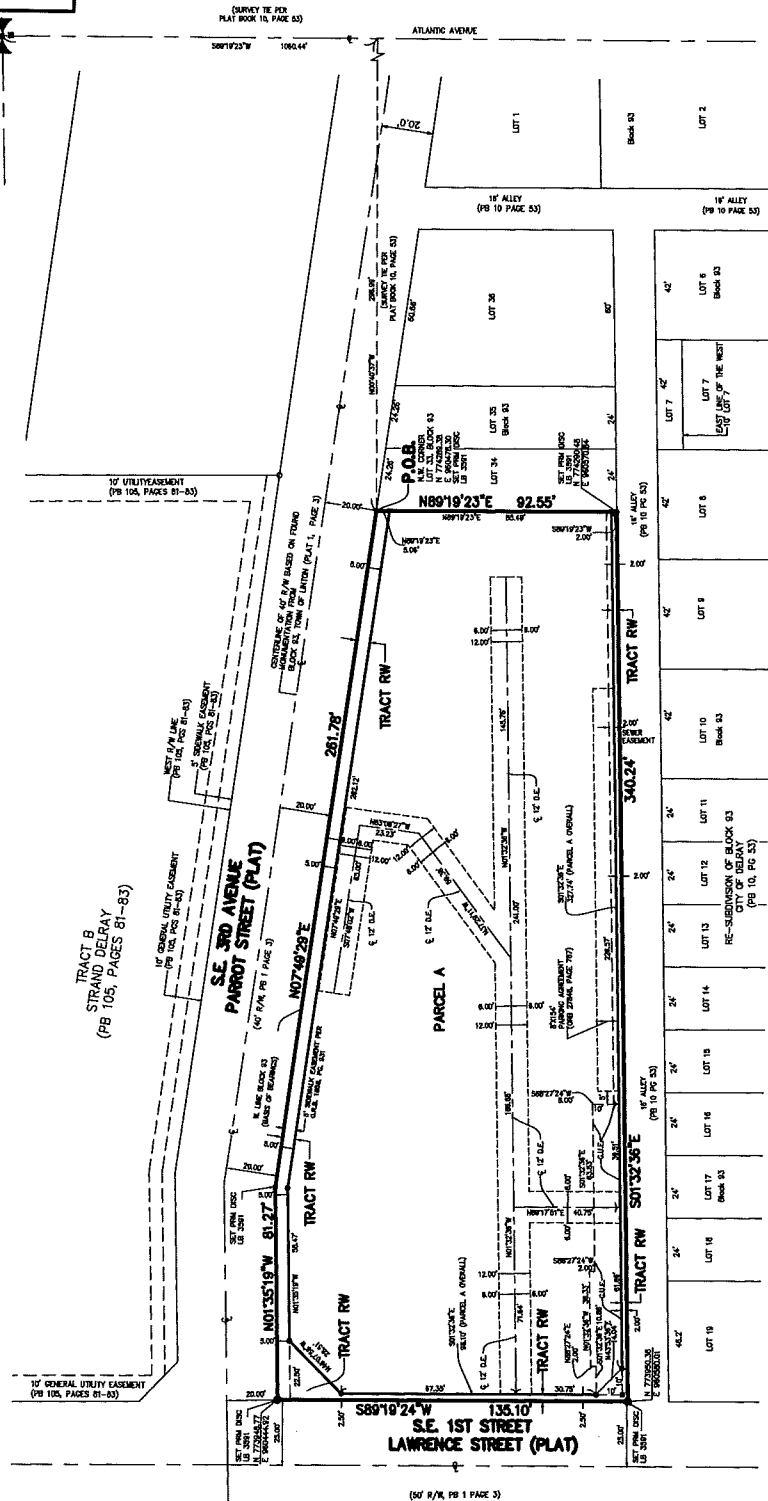
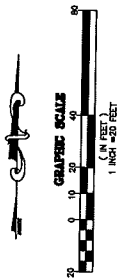
BEING A REPLAT OF LOTS 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 AND 33 BLOCK 93 OF RE-SUBDIVISION OF BLOCK 93 CITY OF DELRAY, PALM BEACH COUNTY, FLORIDA, ACCORDING TO THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LIVING IN SECTION 16, TOWNSHIP 46 SOUTH, RANGE 43 EAST, CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA.

THE INSTRUMENT WAS PREPARED BY
DAVID P. LINDLEY, PLS
OF
CAULFIELD AND WHEELER, INC.
ENGINEERS - PLANNERS - SURVEYORS
7800 GLADES ROAD, SUITE 100
BOCA RATON, FLORIDA 33434 - (305)352-1891

STATE OF FLORIDA
COUNTY OF PALM BEACH
THIS PLAT WAS FILED FOR
RECORD AT _____
THIS _____ DAY OF _____
A.D. 2016 AND DULY RECORDED
IN PLAT BOOK _____
PAGES _____ THRU _____

SHARON R. BOCK
CLERK AND COMPTROLLER

BY: _____
DEPUTY CLERK



4. THERE SHALL BE NO TRESS OR SHORES PLACED ON UTILITY EXPOSURE AREAS. THE CITY ENGINEER AND SENIOR USE OR UPRR DRAINAGE EXPERTS, LANDSCAPING AND OTHER UTILITY DRAINAGE SPECIALISTS SHALL BE ALLOWED ONLY TO REMOVE ANY OF ALL THE UTILITY COMPANIES OCCUPANCY.
5. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THE PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE CITY OF DENVER.
6. THE CITY OF DENVER SHALL BE HEREBY GRANTED THE RIGHT OF EASEMENT FOR CONSTRUCTION AND MAINTENANCE PURPOSES.
7. EASEMENTS ARE RELATIVE TO A GIVEN BEARING OF NORTH BY THE FIRST LINE OF THE BLOCK N1.
8. THE FIRST LINE OF THE BLOCK N1, 54' PERMANENT EASEMENT, SHALL BE 54' PERMANENT EASEMENT MARKED N1 54'.
9. S.F. - DENOTES SQUARE FEET
10. C. - DENOTES CENTRAINE

[illegible]

18. NAD - NORTH AMERICAN DATE
19. NTS - NOT TO SCALE
20. NTS - NOT TO SCALE
21. O.B.B. - DENVER OFFICIAL RECORDS BOOK
22. P.B. - PLAT BOOK
23. P.C.S. - PACIFIC
24. P.E. - SEWER EASEMENT
25. W.E. - WATER EASEMENT
26. S.E. - SET 1/4" IN/CAH LB 2001
27. P.O. - POUND
28. P.O.B. - POINT OF BEGINNING
29. R/W - RIGHT-OF-WAY

PARCEL	SQUARE FEET	ACRES
PARCEL A	37,547	0.862
TRACT RW	2,918	0.067
TOTAL	40,463	0.929

COORDINATES, BEARINGS AND DISTANCES

COORDINATES SHOWN ARE 1980
DATUM - NAD AS 1980 ADJUSTMENT
ZONE - FLORIDA EAST
LINEAR UNIT - US SURVEY FEET
COORDINATE SYSTEM - UTM
TRANSFORMER - MERIDIAN PROJECTION
ALL DISTANCES ARE GROUND
DISTANCES
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
BEARINGS AS SHOWN HEREIN ARE RELATIVE TO A GRID
MAGNETIC NORTH IS 10.5 DEGREES WEST OF GRID NORTH
BLOCK 61, CITY OF DELRAY BEACH, COUNTY OF PALM BEACH,
STATE OF FLORIDA
AS RECORDED IN PLAT BOOK NO. PAGE 33
OF VOLUME 10, RECORD 10, COUNTY OF PALM BEACH,
STATE OF FLORIDA
MEET OR EXCEED THE LOCAL MAGNETIC NORTH
OF A CENTIMETER GEODETIC CONTROL SURVEY

SITE PLAN REVIEW AND APPEARANCE BOARD

CITY OF DELRAY BEACH

---STAFF REPORT---

MEETING DATE: June 10, 2015

ITEM: Class V Site Plan to construct a 57' high, five-story, mixed-use development containing 48 condominium units on the upper levels and 3,741 sq. ft. of retail, 1,318 sq. ft. of office and covered parking on the ground level, on a 0.929 acre site with a density of 51.67 du/ac within the Central Business District (CBD) for The Metropolitan.

GENERAL DATA:

Agent..... Richard Jones Architecture, Inc.

Applicant..... The Metropolitan at Delray, LLC

Owner..... Suntrust Bank

Location..... Northeast corner of SE 3rd Ave. & SE 1st St.

Property Size..... 0.929 Acres (40,462 sq. ft.)

Existing FLUM..... Central Core (CC)

Proposed FLUM..... No Change

Existing Zoning..... Central Business District (CBD)

Proposed FLUM..... No Change

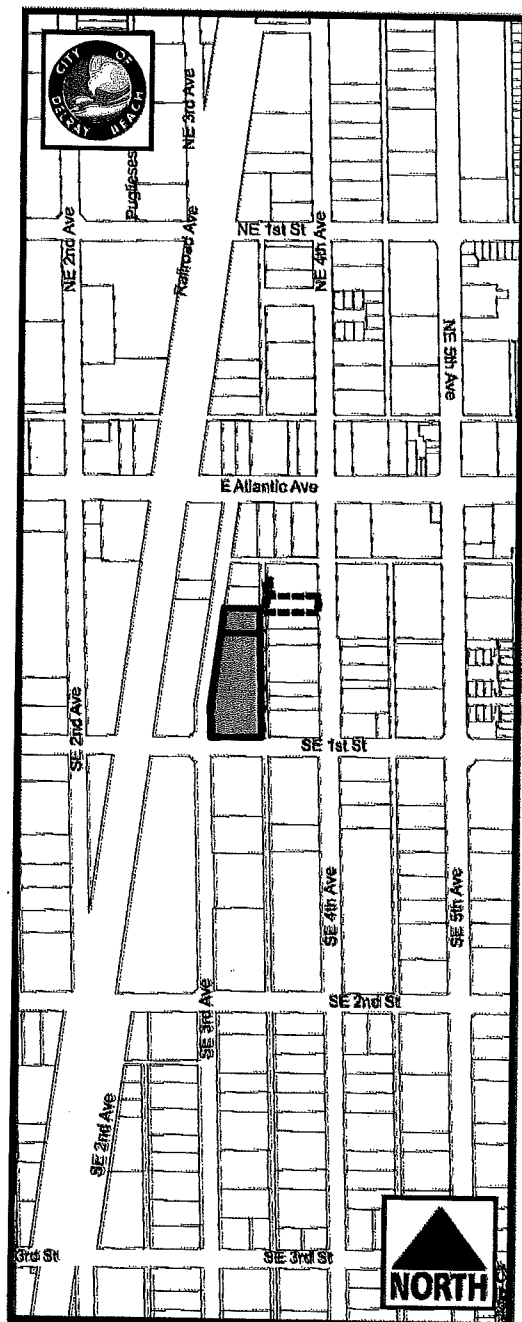
Adjacent Zoning..... North: Central Business District (CBD)
South: Central Business District (CBD)
East: Central Business District (CBD)
West: Central Business District (CBD)

Existing Land Use..... Surface Parking Lots

Proposed Land Use..... 5-story Mixed-Use Building

Water Service..... Available Via A Lateral Service Connection to Existing 4" Water Mains Located within the rear alleyway and SE 1st St. Right-of-Way

Sewer Service..... Available Via A Lateral Service Connection to Existing 8" Sanitary Sewer Mains Located within the rear alleyway and SE 3rd Ave. Right-of-Way



ITEM BEFORE THE BOARD

The item before the Board is the approval of the following aspects of a Class V Site Plan request for **The Metropolitan**, pursuant to Land Development Regulations (LDR) Section 2.4.5(F)(1)(a):

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

BACKGROUND

The subject property consists of Town Of Delray Lots 20 through 33 of Block 93 and measures 0.929 acres. The parcel has a Future Land Use Map (FLUM) designation of Central Core (CC) and is zoned Central Business District (CBD). The sites currently contain surface parking lots owned by Suntrust Bank.

It must be noted that this development application was submitted prior to the establishment of the Zoning In Progress that was in place while the new development regulations were processed for the Central Business District (CBD). This proposal is therefore reviewed in accordance with the regulations that were in effect at that time.

Timeline details are as follows:

The Conditional Use Requests, Class V Site Plan and Class II Site Plan Modification applications associated with The Metropolitan Mixed-Use Development were originally received on September 19, 2014.

On October 7, 2014, the City Commission established Zoning In Progress (Resolution No. 54-14) pending adoption of revised Land Development Regulations for the Central Building District (CBD), which include a density allowance no higher than 30 dwelling units per acre and a maximum height allowance of fifty-four feet (54') for projects within the Central Core (CC) Future Land Use Map designated areas. Zoning In Progress remained in effect until the changes (Ord. No. 03-15) were adopted by the City Commission on February 24, 2015.

On March 3, 2015, the City Commission approved a Parking Compliance Agreement between The Metropolitan, Suntrust Bank and the City of Delray Beach to resolve a 15-space parking deficit for Suntrust Bank created by future construction of The Metropolitan on existing surface parking lots owned by Suntrust Bank. This agreement calls for construction of seven (7) off-site parking spaces along the rear alley and construction of an 8-space angled parking lot east of the rear alley, to be provided exclusively for Suntrust Bank utilization in perpetuity. This agreement cannot be modified or dissolved without the expressed written consent of the City of Delray Beach.

On March 16, 2015, the Planning & Zoning Board recommended approval to the City Commission for conditional use requests for height and density to construct a 57' high, five-story, mixed-use development containing 48 condominium units on the combined 0.929 acre site, whereas the proposed density of 51.67 units per acre exceeds the maximum thirty (30) units per acre allowed and the proposed height of 57' exceeds the maximum 48' height

permitted in the Central Core area of the Central Business District (CBD). On April 21, 2015, the City Commission approved the conditional use requests for height and density and the applicant provided clarification that the five (5) required workforce housing units would be 3BR/2BA each and provided off-site. Thus, all references to workforce housing units have been removed from the proposed development plans.

Now before the Board for consideration is a Class V Site Plan proposal to construct a 57' high, five-story, mixed-use development containing 48 condominium units on the upper levels and 3,741 sq. ft. of retail, 1,318 sq. ft. of office and covered parking on the ground level.

PROJECT DESCRIPTION

The development proposal incorporates the following:

- ☐ Construction of a forty-eight unit, five story mixed-use residential/retail/office building
- ☐ Provision of 3,741 sq. ft. of retail on the ground floor fronting on SE 3rd Ave. & SE 1st St.
- ☐ Provision of a 3,143 sq. ft. public plaza on the ground floor fronting on SE 3rd Avenue
- ☐ Provision of 1,318 sq. ft. of office on the ground floor fronting on SE 3rd Avenue
- ☐ Provision of a water feature and spiral stair feature in the public plaza along SE 3rd Avenue
- ☐ Construction of forty-six parking spaces on a ground level and fifty-one (51) parking spaces on a partial second floor garage for a total ninety-seven (97) space parking garage
- ☐ Installation of associated on-site landscaping and landscape nodes in the adjacent right-of-way along SE 3rd Avenue
- ☐ Construction of ten on-street parallel parking spaces along SE 3rd Avenue
- ☐ Construction of seven on-site parallel parking spaces along the rear alley for use by Suntrust Bank customers and to maintain parking compliance
- ☐ Construction of eight off-site 45° angle parking spaces for Suntrust Bank to maintain parking compliance

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

1. A waiver to LDR Section 4.7.9(i), whereas the total number of one bedroom units shall not exceed 30% of the total number of overall units, the proposed development consists of 50% one-bedroom units.

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.

LDR Section 4.3.4(K) - Development Standards Matrix:

Please note the Land Development Regulations (LDR) Section 4.3.4 - Development Standards Matrix for Non-Residential Zoning Districts which apply to **Central Business District (CBD)** zoning districts:

SE 3rd Avenue

LOWER LEVEL (Ground floor to 25')	(Min./Max.) Standard:	Required:	Proposed:
<i>(1st and 2nd Floors)</i>			
Building Setbacks:			
Front (west)		5' min.	5'
- frontage (335.58')	70% min. /90% max.	10' max.	202.66' (60.4%)
- remaining length	10% min. /30% max.	15' min.	132.92' (39.6%)
Rear (east)		10'	10'1"
Side Interior (north)		0'	5'5"

LDR Section 4.4.13(F)(4)(a) – Front Setback, requires that the portion of the structure that is ground floor to 25' in height shall be setback a maximum of ten feet (10') for at least (seventy percent) 70% of the frontage and a maximum of ninety percent (90%) of the frontage. The remaining length shall be set back a minimum of fifteen feet (15').

However, pursuant to LDR Section 4.4.13(F)(4)(e)(4) Front Setback - Exceptions, modifications to the frontage requirements may be granted by the Site Plan Review and Appearance Board in order to accommodate plazas that connect the building to the sidewalk and promote social interaction by offering one or more of the following: public seating areas, sidewalk cafes, sculptures or other artwork for public display, and similar features. Due to provision of the public plaza, 60.4% (70% min. allowed) is provided at a 10' maximum and 39.6% (30% max. allowed) is provided at a 15' minimum.

Therefore, the nonconforming setbacks in **BOLD** will be deemed compliant, pending SPRAB approval of the proposed design. Thus, no official waiver request is required.

SE 3rd Avenue

UPPER LEVEL (25' to 48' height)	(Min./Max.) Standard:	Required:	Proposed:
<i>(3rd and 4th Floors)</i>			
Building Setbacks:			
Front (west)			
- frontage (335.58')	70% min.	15' min.	315.5' (94%)
- remaining length		5' min.	N/A

SE 3rd Avenue

TOP LEVEL (Above 48' height)	(Min./Max.) Standard:	Required:	Proposed:
<i>(5th Floor)</i>			
Building Setbacks:			
Front (west)			
- frontage (335.58')	90% min.	30' min.	100%
- remaining length		5' min.	N/A

SE 1st Street

LOWER LEVEL (Ground floor to 25')	(Min./Max.) Standard:	Required:	Proposed:
<i>(1st and 2nd Floors)</i>			
Building Setbacks:			
Front (south)		5' min.	5'
- frontage (113.10')	70% min. /90% max.	10' max.	69' (61%)
- remaining length	10% min. /30% max.	15' min.	44.10' (39%)

The lower level front building setback in **BOLD** is deemed compliant. The applicant has agreed to submit revised plans which comply with the required ground floor setback and frontage from 70%-90% at a maximum of ten feet (10') along SE 1st Street prior to site plan certification, otherwise a waiver to LDR Section 4.4.13(F)(4)(c)(1) is required. This is a condition of approval.

SE 1st Street

UPPER LEVEL (25' to 48' height)	(Min./Max.) Standard:	Required:	Proposed:
<i>(3rd and 4th Floors)</i>			
Building Setbacks:			
Front (south)			
- frontage (113.10')	70% min.	15' min.	79.33' (70.14%)
- remaining length		5' min.	N/A

SE 1st Street

TOP LEVEL (Above 48' height)	(Min./Max.) Standard:	Required:	Proposed:
<i>(5th Floor)</i>			
Building Setbacks:			
Front (south)			
- frontage (113.10')	90% min.	30' min.	100%
- remaining length		5' min.	N/A

Minimum Floor Height

<i>Minimum Floor Height:</i>	Required: <i>Commercial Uses</i>	Proposed: <i>Commercial Uses</i>
Ground Level	10'	11'4"
Upper Level (2 nd Fl.)	9'	9'10"
Upper Level (3 rd , 4 th & 5 th Fl.)	9'	10'0"

Building Height and Open Space Requirements

<i>CBD Zoning</i>	Standard:	Provided:	Proposed:
Building Height:	25' min. /48' max.		57'0"
Open Space:	0% (37,495 sq. ft.)	1,952 sq. ft.	5.2%

The nonconforming height in **BOLD** is deemed compliant, pursuant to the approved conditional use request for height by the City Commission on April 21, 2015 (see "Background" section).

Frontage Requirements - Design Guidelines

	<i>Allowed:</i>	<i>Proposed:</i>
<u><i>Roof Level Floor Area:</i></u> <i>(above 48' high)</i>	50% max. of ground floor 15,994 sq. ft. / 31,989 sq. ft.	49.83% 15,943 sq. ft. / 31,989 sq. ft.
<u><i>Upper Level Floor Area:</i></u> <i>(25' - 48' high)</i>	70% max. of ground floor 22,392 sq. ft. / 31,989 sq. ft.	66.70% 21,338 sq. ft. / 31,989 sq. ft.
<u><i>Lower Level Floor Area:</i></u> <i>(Ground floor to 25' high)</i>	31,989 sq. ft. (max.)	27,913 sq. ft. (87% of max.)

Off-Street Parking:

Pursuant to LDR Section 4.4.13(G)(1)(e), the parking requirements for residential units in multi-family structures located within the CBD are to be provided as follows:

Type of Unit	Total No. of Units	Spaces per Unit	Parking Spaces Required	Parking Spaces Provided
Efficiency (1 room)	0	1.0	0	0
1 bedroom	24	1.25	30	30
2 bedrooms	24	1.75	42	42

Guest parking				
For the first 20 units	20	0.5	10	15
For units 21-50	28	0.3	8	10
For units 51 and above	0	0.2	0	
Totals			90	97

As shown in the above table, ninety (90) parking spaces are required for the proposed 48-unit development and ninety-seven (97) spaces have been provided within the parking garage. Thus, this LDR requirement has been met.

Under the shared parking provisions of the City's parking regulations, as shown on the table below, seven (7) additional parking spaces are required (total of 94) to also support the retail and office components of the Metropolitan mixed-use building.

Shared Parking Calculations

Pursuant to CBD: LDR 4.4.13(G)(1)(f)	Parking Req.	Weekday Night	Weekday Day	Weekday Evening	Weekend Day	Weekend Evening
Residential	42.00	42.00	25.20	37.80	33.60	37.80
Office	4.39	0.22	4.39	0.44	0.44	0.22
Commercial/Retail	12.47	0.62	8.73	11.22	12.47	8.73
Hotel	0.00	0.00	0.00	0.00	0.00	0.00
Restaurant	0.00	0.00	0.00	0.00	0.00	0.00
Entertainment/Recreational	0.00	0.00	0.00	0.00	0.00	0.00
Other/Guests/Reserved	48.00	48.00	48.00	48.00	48.00	48.00
total required	106.86	90.84	86.32	97.46	94.51	94.75
total provided	97.00	91	86	97	95	95
				shared total		

The shared parking calculates the parking requirement at 97 spaces, whereas 97 spaces are currently proposed. Therefore, the parking demand for the site is met.

On Street Parking:

For the Metropolitan site, ten on-street parking spaces are proposed to be provided along SE 3rd Avenue. The existing on-street parking spaces along SE 1st Street will be removed. Although these spaces will be available to the general public, they will also help to meet the short-term parking requirements of residents and guests of the project. However, per LDR Section 4.6.9(E)(2), since the in-lieu parking fee is available to the developer, these on-street spaces cannot be counted toward the required spaces for the development.

Compact Parking:

Pursuant to LDR Section 4.6.9(C)(1)(g), up to 30% of the required parking for any use may be designated for compact cars. The development proposal includes 26 compact parking spaces located within the multi-level parking garage. This represents 26.80% of the total required spaces (97), thus meeting the requirement.

Handicapped Accessible Parking:

Pursuant to LDR Section 4.6.9(C)(1)(b), special parking spaces designed for use by the handicapped shall be provided pursuant to the provisions of Florida Accessibility Code for Building Construction. Accessibility for residential structures is also covered by the Federal Fair Housing Act. Under the provisions of these codes, four accessible parking spaces must be provided. Since five handicap accessible parking spaces have been provided, this LDR requirement has been met.

Bicycle Parking:

LDR Section 4.6.9(C)(1)(c) and Transportation Element Policy D-2.2 of the Comprehensive Plan require that a bicycle parking facility be provided. Bicycle racks and an air conditioned, secure bicycle storage area has been provided along SE 1st Street for the Metropolitan site. Thus, this requirement is met.

Stacking Distance:

Staff review of the Class V Site Plan indicates that the proposed plans meet the required stacking distance for the Metropolitan site. This LDR Section requires that the minimum stacking distance between the adjacent street right-of-way and the first parking space in a parking lot with more than fifty-one (51) parking spaces shall be twenty feet (20') when there are multiple points of access. The applicant has proposed at least twenty feet (20') of stacking off of the adjacent alley at both access points, which meets this requirement.

Lighting:

A photometric plan consistent with the requirements of LDR Section 4.6.8 has been provided. To meet CPTED (Crime Prevention Through Environmental Design) standards, increased lighting levels (i.e. beyond the minimum LDR requirements) have been provided for compliance. This is consistent with the levels provided for the "Sofa District Lofts & Offices" project. Although the foot candle levels are slightly lower than the more stringent CPTED recommended levels, they are still very much elevated in comparison to the LDR requirements for lighting.

Loading:

Provision of a minimum 12' x 30' area exclusively for loading/unloading is provided off of the existing 16' alley in the rear with access to a corridor leading to an elevator serving all five (5) floors. This meets the minimum requirements.

Sight Visibility Triangles:

Pursuant to LDR Section 4.6.14(B)(1), when an access way intersects a public right-of-way, triangular areas shall provide unobstructed cross-visibility. The area on both sides of a driveway formed by the intersection of a driveway and an alley with a length of ten (10) feet along the driveway, a length of ten (10) feet along the alley right-of-way and the third side being a line connecting the ends of the other two lines. Visibility triangles for driveway access points to the parking garage along the rear alleyway have been depicted.

Pursuant to LDR Section 4.6.14(B)(2), the visibility triangle shall be the area formed by the intersection of an alley and a street with a length of ten (10) feet along the alley right-of-way, a length of 20 feet along the street right-of-way, and the third side being a line connecting the ends of the other two lines. Visibility triangles at the entry point along SE 1st Street have been correctly depicted to demonstrate compliance with this LDR requirement.

Pursuant to LDR Section 4.6.14(B)(3), within the Central Business District (CBD), the visibility triangle shall be the area formed by the intersection of two or more street rights-of-way with two sides of the triangular area being 20 feet in length along each street, measured from their point of intersection, and the third side being a line connecting the ends of the other two lines. For the

Metropolitan site, visibility triangles have been drawn at the intersection of SE 1st Street and SE 3rd Avenue. Thus, this requirement has been met.

Open Space:

No open space is required for this development, Central Business District requirements. However, the plans indicate that 5.2% open space has been provided, which exceeds the standard for the Metropolitan site. Additionally, the 3,143 sq. ft. public accessible plaza (open to sky) will incorporate a fountain and sitting area and measures +/-8.3% of the post dedication developable site area.

Minimum Residential Floor Area:

The following table indicates that the proposal complies with LDR Section 4.3.4(K) - Minimum residential floor area. There are 24 one-bedroom dwelling units that range in size from 890 to 1,390 square feet and 24 two-bedroom dwelling units that range in size from 1,175 square feet to 1,567 square feet. As demonstrated in the chart below, this LDR requirement has been met.

Dwelling Size	Standard (Sq. Ft.)	Provided (Sq. Ft.)	Total Units	Compliance with LDR Requirements?	
				Yes	No
Efficiency	400	0	0	N/A	
1 Bedroom Units	600	890-1,390	24	•	
2 Bedroom Units	900	1,175-1,567	24	•	
3 Bedroom Units	1,250	N/A	0	N/A	
4 Bedroom Units	1,500	N/A	0	N/A	

Right-of-Way Dedications:

SE 3rd Avenue: Pursuant to LDR Section 5.3.1 and Table T-1 of the Transportation Element of the City's Comprehensive Plan, the ultimate right-of-way width for S.E. 3rd Avenue is 60' where no curb and gutter exists and 50' where curb and gutter exists. Currently, only 40' of right-of-way exists with curb and gutter. The applicant has chosen to voluntarily provide an additional five feet (5') of right-of-way along the east side of SE 3rd Avenue. The proposed site plan, landscape plan and civil plans currently depict the five foot (5') right-of-way dedication. Thus, this LDR requirement has been met.

SE 1st Street: Pursuant to LDR Section 5.3.1 and Table T-1 of the Transportation Element of the City's Comprehensive Plan, the ultimate right-of-way width for S.E. 1st Street is 55' and only 50' of right-of-way currently exists. The applicant has chosen to voluntarily provide an additional 2.5' of right-of-way along the north side of SE 1st Street. The proposed site plan, landscape plan and civil plans currently depict the 2.5' right-of-way dedication. Thus, this LDR requirement has been met.

16' Alley: Pursuant to LDR Section 5.3.1(D)(2), the required width of an alley is 20'. Further, pursuant to LDR Section 5.3.1(D)(3), additional right-of-way width may be required to promote public safety and welfare; to provide for storm water management; to provide adequate area for street trees; and to ensure adequate access, circulation and parking in high intensity use areas. The applicant has chosen to voluntarily provide an additional two feet (2') of right-of-way along the west side of the alley. The proposed site plan, landscape plan and civil plans currently depict the two foot (2') right-of-way dedication. Thus, this LDR requirement has been met.

Street Improvement Obligations:

Pursuant to LDR Section 6.1.2(A)(2)(a), when a street or alley is located on a boundary of a project, the project is responsible for providing one-half of the current costs (in cash funds) of such improvements along its property line. When access to the project is provided from a local street and/or alley, then the project must provide appropriate traffic lanes meeting requirements of Section 5.3.1(C) in order to provide continuous paved access from the nearest paved street or alley to the subject property in addition to the improvements on its side of the center line of the right-of-way. The existing 16-foot alley right-of-way, which abuts the east property line of the subject property, is already improved. Paving of the additional 2' of alley right-of-way dedicated with this project is the obligation of the developer and will occur with construction of the project.

Sidewalks:

LDR Section 6.1.3(B)(1)(f) requires that sidewalks within the Central Business District be provided at a minimum of eight feet (8') wide. The applicant has proposed minimum eight foot (8') sidewalk widths along SE 1st Street and SE 3rd Avenue. Thus, this requirement is met.

Bus Shelter:

As noted earlier in this report, pursuant to Transportation Element A-1.5 of the Comprehensive Plan, the applicant shall provide a contribution of approximately one-half the cost of a bus shelter prior to certification of the site plan for the Metropolitan site which fronts along SE 1st Street served by the Palm Tran Route #81.

Undergrounding of Utilities:

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

Plat:

The development proposal combines two (2) separate parcels and includes the dedication of right-of-way for SE 3rd Avenue, SE 1st Street and the adjacent 16' alley to the east. Therefore, a plat must be processed and recorded prior to issuance of a building permit.

Refuse Enclosure:

Pursuant to LDR Section 4.6.6(C)(1), dumpsters, recycling containers and similar service areas must be enclosed on three (3) sides with vision obscuring gates on the fourth (4th) side, unless such areas are not visible from any adjacent public right-of-way. The development proposal includes trash rooms located interior to the building. Rolling dumpsters will be located along the alley for daily pick-up. The applicant has stated that maintenance personnel will transfer the trash to the dumpster. Accommodation for bins for recyclables has been provided, and thus, this LDR requirement has been met.

Architectural Standards:

It is noted that pursuant to LDR Section 4.6.18(B)(14)(v), buildings subject to the Downtown Design Guidelines are required to provide a change in roof design, doors and window rhythm and articulation, and building materials or textures every 150' of building frontage. Minimum

spacing between the same architectural compositions shall be 300'. The proposed architectural elevations meet the required separation and design standards. Thus, this standard is met.

Site Plan Technical Items: While revised plans have accommodated most of staff's concerns, the following items remain outstanding and will need to be addressed as indicated below:

1. Prior to site plan certification, submit a plat application in accordance with the applicable sections of LDR Section 2.4.3(A),(B),(H),(J),(K),(L) and Section 5.2.2.
2. Per the "Parking Compliance Agreement" between the Metropolitan and Suntrust Bank, as approved by the City Commission on March 3, 2015, a perpetual, non-exclusive easement to Suntrust must be provided for the seven (7) off-site parking spaces for Suntrust Bank along the alley that cannot be amended or terminated with the City's prior written consent. This easement will be reflected on the plat.

WORKFORCE HOUSING ANALYSIS

FAMILY/WORKFORCE HOUSING:

Minimum Family/Workforce Housing:

The development proposal must include a minimum of 20% workforce units consisting of moderate income workforce units as defined by Article 4.7 Family/Workforce Housing. Thus, no less than 20% or five (5) of the excess units shall be work force housing. This requirement is met with the proposed five (5) workforce housing units. Thus, this standard is met.

On April 21, 2015, the City Commission determined that the matching ratio was only applicable if the units were provided on-site. As such, only five (5) required workforce housing units are required to be provided off-site and will be offered as 3BR/2BA single family homes as agreed.

Thus, the proposed distribution of workforce housing units is found to be in compliance.

Covenant:

Per LDR Section 4.7.6(a), a covenant will need to be recorded that specifies the income level served, rent levels, reporting requirements and all restrictions applicable to the workforce housing units. All leases or mortgages shall contain language incorporating covenants applicable to the workforce housing unit and reference recorded covenants. Prior to building permit issuance, a covenant shall be submitted for approval by the City Attorney's Office and recorded.

Maximum One Bedroom Units:

Pursuant to LDR Section 4.7.9(i), the total number of one bedroom units in any qualifying project shall not exceed 30% of the total number of units in the project, including both workforce units and market rate units. The development proposal consists of 24 one bedroom units or 50% of the 48 total units. The applicant has requested a waiver to this requirement. Analysis of the waiver is provided in the following section:

WAIVER ANALYSIS

Pursuant to LDR Section 2.4.7(B)(5), prior to granting a waiver, the approving body shall make a finding that the granting of the waiver:

- (a) Shall not adversely affect the neighboring area;
- (b) Shall not significantly diminish the provision of public facilities;
- (c) Shall not create an unsafe situation; and
- (d) Does not result in the grant of a special privilege in that the same waiver would be granted under similar circumstances on other property for another applicant or owner.

Maximum 30% One Bedroom Units:

Pursuant to LDR Section 4.7.9(i), the total number of one bedroom units in any qualifying project shall not exceed 30% of the total number of units in the project. The waiver request is to allow the increase in the percentage of one bedroom units from the maximum allowed 30% to 50%. The applicant has submitted the following statement to support the waiver.

"Although the number of one-bedroom units exceeds the above referenced provision, the program for this project is to provide for sale housing units to serve individuals look for an "in-town, walkable" lifestyle. The units are large when compared to the recent rental apartment projects being approved. In fact, the 1-bedroom units also have 1.5 baths and are 850-1390 sq. ft. which makes it larger than the minimum square footage requirement for 2-bedroom units under the LDRs. Approval of this waiver will allow for development that will provide more attainable living in the downtown area that is attractive to a variety of people desiring urban living. This development will provide residents the luxury of living in close proximity to a lively downtown with employment and entertainment opportunities at attainable pricing, meeting the budgets of many diverse age groups, providing additional patrons for area businesses and furthering many of the goals of the City's Downtown Master Plan and Comp Plan."

The City's goal is to create family/workforce housing. To accomplish this goal, the City created incentives for developers, including allowing additional density in the CBD through the conditional use process. The provisions and incentives of the family/workforce housing ordinance were structured to promote larger units for families, which is why there is a limit on the percentage of one-bedroom units allowed in projects under this program.

The Metropolitan project appears to target a specific segment of the population which includes young single professionals and young emerging professional couples with possibly one or two children. This is appropriate for a downtown residential development. Specifically, the project includes 24 one-bedroom units and 24 two-bedroom units, for a total of 48 units. That makes the ratio 50% 1-bedrooms. Approval of this waiver will allow for development that will provide more attainable living in the downtown area that is attractive to a variety of people desiring urban living. This development will provide residents the luxury of living in close proximity to a lively downtown with employment and entertainment opportunities at attainable pricing, meeting the budgets of many diverse age groups, providing additional patrons for area businesses and furthering many of the goals of the City's Downtown Master Plan and Comprehensive Plan. Therefore, the proposed waiver should not adversely affect the neighboring area, diminish the

provision of public facilities or create an unsafe condition. Given the project's downtown location, staff is inclined to support a one-bedroom unit mix up to 50% in the CBD. The same consideration would be given to other projects in the CBD area, so approving this waiver would not result in the granting of a special privilege, and a positive finding with respect to LDR Section 2.4.7(B)(5) can be made.

LANDSCAPE PLAN ANALYSIS

A landscape plan has been submitted and evaluated by the City Senior Landscape Planner. A variety of trees, plants and groundcover materials are employed to enhance the development. The City Senior Landscape Planner has reviewed the landscape plan submitted by the applicant. However, the following items remain unaddressed:

1. It appears that applicant has elected to relocate five (5) of the existing oak trees into on-street landscape islands. As per LDR 4.6.19 (E)(5)(d) an in-lieu fee calculated at \$100/caliper inch is to be paid to the City of Delray Beach. Trees that are excluded from the in-lieu fee are those listed within this section. They include, "Trees determined to be diseased, injured, in danger of falling, too close to existing or proposed structures, interfering with utility services, creating unsafe vision clearance, or deemed to be hazardous by the Chief Building official or his/her designee, shall be exempt from replacement on a caliper inch-per-inch basis and shall not be required to deposit the in-lieu of fee into the Tree Trust Fund but the applicant shall be required to plant a tree with a minimum twelve foot (12') height and six foot (6') spread of canopy. Submit a mitigation plan identifying those trees that would be required to be mitigated for (for the in-lieu fee). An arborist's report would be needed if any existing trees are diseased or injured or in danger of falling. Identify all required trees and mitigation trees on plan.
2. A Landscape Maintenance Agreement is required for the proposed plantings outside the property line. Submit the signed agreement with the supporting exhibits (as outlined in the agreement) as quickly as possible. This will have to get executed by City Commission.

Based on the above analysis, the Landscape Plan will comply with LDR Section 4.6.16, upon addressing the aforementioned comment. These are attached as conditions of approval.

ARCHITECTURAL ELEVATION ANALYSIS

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

1. The plan or the proposed structure is in conformity with good taste, good design, and in general contributes to the image of the City as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas, and high quality.
2. The proposed structure, or project, is in its exterior design and appearance of quality such as not to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.

3. The proposed structure, or project, is in harmony with the proposed developments in the general area, with the Comprehensive Plan, and with the supplemental criteria which may be set forth for the Board from time to time.

The proposed mixed-use residential and commercial building will offer a vibrant and distinguished presence to the neighborhood. The development proposal will significantly enhance the aesthetics of the subject property unifying the parcels under a single development. Further, the neighborhood and the downtown as a whole will benefit by the inclusion of new residential dwelling units. The proposed architectural design is in good taste and will be architecturally harmonious with the surrounding buildings. Based upon the above, positive findings can be made with respect to LDR Section 4.6.18(E).

REQUIRED FINDINGS

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 Future Land Use Map (FLUM) designation of Commercial Core (CC) and a zoning designation of CBD, which are consistent with one another. Pursuant to LDR Section 4.4.13(B)(2), professional offices are a permitted use. Thus positive findings can be made with respect to FLUM consistency.

LDR Section 3.1.1(B) - Concurrency:

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

LDR Section 3.1.1(C) - Consistency (Standards for Site Plan Actions):

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

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

As described under the "Site Plan Analysis" section of this report, a positive finding of compliance with the LDR can be made with the approval of the supported waivers and addressing outstanding items attached as conditions of approval.

Comprehensive Plan Policies:

While the City Commission made positive findings with respect to the following Objectives and Policies of the Comprehensive Plan, the following analysis is provided:

Future Land Use Element 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 subject sites are existing surface parking lots and have no existing structures. Thus, there are no special physical or environmental characteristics of the land that would be negatively impacted by the proposed mixed-use development. The site is bordered by public right-of-way (SE 3rd Avenue) on the west. To the east of the site is an existing sixteen foot (16') public alleyway. Across the alley, to the east, are commercial and office uses. To the west of the site, across SE 3rd Avenue, is vacant/undeveloped land but approved for the multi-family residential development called "The Strand." To the north of the Metropolitan site, is the existing Suntrust Bank financial institution. To the south of the Metropolitan site, currently under construction is the Sofa Building #1 residential development.

In terms of fulfilling remaining land use needs, the Housing Element of the Comprehensive Plan states the following:

"One of the most important objectives of the City's overall housing policy is the establishment of housing in the downtown area. In the years since adoption of the 1989 Comprehensive Plan the downtown has changed from a somewhat sleepy, seasonally oriented shopping district to a vibrant year-round retail, service, and entertainment area with an active nightlife. A critical missing element is a significant housing development. The City recognizes the importance of providing housing in close proximity to shopping, employment, and transportation, and the need to have a residential base to support the businesses in the downtown area".

The proposed Metropolitan will help to fulfill this stated land use need by providing 48 additional dwelling units in the downtown area in close proximity to shopping, employment and transportation, and is therefore consistent with this policy.

Future Land Use Element Objective C-3: The Central Business District (CBD) and surrounding neighborhoods, including A-1-A, Seacrest and Swinton Avenue represents the essence of what is Delray Beach i.e. a "village by the sea". The continued revitalization of the CBD is essential to achieving the overall theme of the City's Comprehensive Plan by managing growth and preserving the charm. The following policies and activities shall be pursued in the achievement of this objective.

Future Land Use Element Policy C-3.2: The "Downtown Delray Beach Master Plan" was adopted by the City Commission on March 19, 2002. Covering the downtown business districts surrounding the Atlantic Avenue corridor between I-95 and A-1-A, it represents the citizens' vision for the growth and unification of Delray Beach, while still retaining the "village by-the-sea" character of the CBD. The Plan addresses a wide range of issues including infill development, neighborhood parks, shared parking, public art, the roadway and alleyway systems, marketing/economic development, and the need to modify the Land Development Regulations to include design guidelines to retain the character of Delray Beach. Future development and redevelopment in this area shall be consistent with the Master Plan.

The following excerpts are from the Downtown Delray Beach Master Plan:

On page 36 - "Increasing residential density is absolutely crucial to ensure a healthy and lasting life to the Central Core District. The residential component will be the element that will make the Central Core District evolve from a high-end leisure area for a few, to a true downtown that serves the needs of the community as a whole. It will be the factor that induces the proliferation of services for locals, today very scarce or even non-existent."

On page 38 - "In order to maintain the overall "Village Atmosphere" of the City, but at the same time create enough density to encourage a variety of local services and a more balanced mix of retail in downtown, the Master Plan's recommendation in all the reviewed cases consistently supports higher densities within the CRA's downtown district, especially in the four blocks north and south of the Avenue. It is this Plan's additional recommendation to include a minimum density requirement in the zoning code. Within the downtown area, low, suburban densities will cause more harm than slightly higher ones. Within a downtown area, density is directly associated with the health and success of downtown."

As noted above, increased residential density is crucial to the long-term sustainability of the downtown. This will allow a residential density of 51.67 dwelling units per acre on the subject property. This increased density equates to an additional 21.67 units per acre over the base density of 30 units per acre. The development proposal will locate a total of 48 residential dwelling units of various floor plans and sizes within the downtown area. The residents of these dwellings will be able to walk to shops, restaurants, cultural areas and parks. They will interact on a regular basis with storekeepers and employees, and their neighbors. They will get to know the downtown much more intimately than the majority of Delray residents. They will play a major role as participants in, and contributors to, the downtown area community. The Metropolitan development proposal is consistent with Future Land Use Element Objective C-3 and Policy C-3.1 as it will facilitate the continued rehabilitation and dynamic revitalization of the CBD zoning district.

Transportation Element Policy A-1.5: New residential projects over 25 units and nonresidential projects over 10,000 square feet adjacent to existing or future Palm Tran bus stops shall provide an easement and install a city-approved bus shelter on site. If the project is not adjacent to a bus stop, or a bus shelter already exist, a contribution shall be made to the City in-lieu of providing the bus shelter on site.

Currently, the Palm Tran Route #81 (Eastbound Atlantic Avenue) serves this site along SE 1st Street. A Palm Tran bus stop may be deemed necessary at the southwest corner of SE 3rd Avenue and SE 1st Street. The development should contribute toward the provision of a bus shelter at this location. A contribution of approximately one-half the cost of a bus shelter must be paid prior to certification of the site plan for the development. Subject to it being addressed at that time, the development will comply with Transportation Element Policy A-1.5.

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

The subject property is located within the City's Transportation Concurrency Exception Area (TCEA), which encompasses the CBD, CBD-RC, OSSHAD, and West Atlantic Avenue Business

Corridor. Bicycle racks and storage areas have been provided on the Metropolitan site. Thus, the development complies with Transportation Element Policy D-2.2.

Open Space and Recreation Element Policy A-3.1: Tot lots and recreational areas, serving children from toddlers to teens, shall be a feature of all new housing developments as part of 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. The City may require a monetary contribution in-lieu of the provision of on-site facilities where appropriate.

This policy may be waived for projects in the downtown because the City recognizes that households located in the downtown are likely to have fewer children than those located in suburban settings. Furthermore, land in the downtown is at a premium and it can be cost prohibitive to provide land intensive recreational features such as tennis courts, volleyball courts, etc. However, the proposed development does provide common open terrace areas on the third and fifth floors, as well as the public plaza on the ground level.

Other recreational, cultural and open space opportunities located in proximity to the Metropolitan development include Veteran's Park, which contains a large playground and recreational area; the Municipal Beach; Currie Commons Park, which includes a baseball field and playground; the City's Tennis Center; and Old School Square Cultural Center. As playground areas are located close by (Veteran's Park and Currie Commons Park) and other facilities are available on site that can be utilized by children, such as the pool and game room, the intent of this policy has been met. Based on the above, it is appropriate to partially waive (tot lot) this requirement to provide these services entirely on site.

Housing Element Objective B-2: Redevelopment and the development of new land shall result in the provision of a variety of housing types and other amenities (i.e. bike trails, parks, sidewalks) to accommodate the diverse economic makeup of the City's demographic profile, and meet the housing needs of all residents. Policies which will implement this objective include:

Housing Element Policy B-2.2: The development of new adult oriented communities within the City is discouraged. New housing developments shall be designed to accommodate households having a range of ages, especially families with children, and shall be required to provide 3 and 4 bedroom units and activity areas for children ranging from toddlers to teens. This requirement may be waived or modified for residential developments located in the downtown area, and for infill projects having fewer than 25 units.

While the proposed development will not be restricted to occupancy by adults only, it is acknowledged that downtown dwellings are not typically occupied by families with two (2) or more children. To appropriately address the market demand, this development will primarily accommodate single adults, elderly and young professional couples. The development will provide a mix of one (1) and two (2) bedroom units.

Housing Objective A-11: To assist residents of the City in maintaining and enhancing their neighborhood, the City, through public input and notification, shall take steps to ensure that modifications in and around the neighborhood do not lead to its decline, such as those described in the following policies.

Housing Policy A-11.3: In evaluating proposals for new development or redevelopment, 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.

As previously noted, the residents of this development will aid in the revitalization and economic stability of the downtown area. The introduction of additional residential dwelling units will increase safety of the area by introducing more nighttime activity and more "eyes on the street" as a deterrent to criminal behavior. Thus, the development will be consistent with Housing Policy A-11.3.

LDR Section 2.4.5(F)(5) - Compatibility (Site Plan Findings): The approving body must make a finding that development of the property pursuant to the site plan will be compatible and harmonious with adjacent and nearby properties and the City as a whole, so as not to cause substantial depreciation of property values.

The following table identifies the zoning designations and uses that are adjacent to the subject property:

	<i>Zoning:</i>	<i>Use:</i>
<i>North</i>	Central Business District (CBD)	Suntrust Bank financial institution
<i>South</i>	Central Business District (CBD)	Sofa Building #1 (under construction)
<i>East</i>	Central Business District (CBD)	Vacant (Approved for "The Strand")
<i>West</i>	Central Business District (CBD)	Commercial, Retail and Office Uses

The surrounding properties to the north, south, east and west are all are zoned Central Business District (CBD). To the east of the site is an existing sixteen foot (16') public alleyway. Across the alley, to the east, are commercial and office uses. To the west of the site, across SE 3rd Avenue, is vacant/undeveloped land but approved for "The Strand" multi-family residential development. To the north of the Metropolitan site is the existing Suntrust Bank financial institution. To the south of the Metropolitan site is the Sofa Building #1 residential development currently under construction.

It should be noted that the property to the south (Sofa Building #1) was approved for a density of 62 du/ac containing 117 residential units and a one-bedroom mix of 56.41%. Similarly, to the west, The Strand was approved for a density of 63 du/ac containing 198 units and a one-bedroom unit mix of 51%. The subject property (The Metropolitan) is requesting a density of 51.67 du/ac containing 48 residential units and a one-bedroom mix of 50%, which is a less intensive residential use than the neighboring properties.

Thus, the proposed residential development will be compatible with the uses that prevail in the neighborhood, will not hinder development or redevelopment of nearby properties, and will not have a detrimental effect upon the stability of the neighborhood. The additional residents should improve the stability of the CBD downtown neighborhood by increasing the number of "eyes on the street" in the neighborhood. The development activity should have a positive effect on redevelopment of neighboring properties. By adding to the downtown customer base, the additional residential development will also help to encourage a variety of local services and a more balanced mix of retail downtown. Based upon the above, positive findings can be made with respect to LDR Section 2.4.5(F)(5).

REVIEW BY OTHERS

Community Redevelopment Agency:

The Community Redevelopment Agency (CRA) considered the Conditional Use requests to allow a density exceeding 30 dwelling units per acre (51.67 du/ac proposed) and a height exceeding 48' (57' proposed) at its meeting of March 12, 2015 and rendered a recommendation of approval for the height increase, but disapproved the density increase by a vote of 4-2. However, they supported the associated waiver to the density request to allow 50% (30% max. standard) one-bedroom units.

Downtown Development Authority:

The Downtown Development Authority (DDA) unanimously recommended approval of the Conditional Use requests to allow a density exceeding 30 dwelling units per acre (51.67 du/ac proposed) and a height exceeding 48' (57' proposed) at its meeting of March 9, 2015.

Courtesy Notices:

Courtesy notices have been provided to the following homeowner's and/or civic associations which have requested notice of developments in their areas:

- ☐ Delray Beach Chamber of Commerce
- ☐ Delray Citizen's Coalition
- ☐ The Courtyards of Delray
- ☐ Osceola Park
- ☐ Mallory Square

Public Notice:

Formal public notices were previously provided to property owners within a 500' radius of the subject property in association with the conditional use requests for height and density. Public notice signs were also erected along all public rights-of-way, as a part of the conditional use. Letters of support or objection, if any, will be presented at the Site Plan Review and Appearance Board (SPRAB) meeting.

ASSESSMENT AND CONCLUSION

The proposed Class V Site Plan request is to allow construction of a 57' high, five-story, mixed-use development containing 48 condominium units on the upper levels and 3,741 sq. ft. of retail, 1,318 sq. ft. of office and covered parking on the ground level. A density in excess of 30 units per acre within the CBD (51.67 du/ac is proposed) and a height exceeding 48' (57' requested) has already been approved by the City Commission on April 21, 2015. The provision of additional residential dwelling units within the downtown area will further the long term revitalization and stabilization of the CBD. The proposed use is consistent with the objectives and policies of the Comprehensive Plan and Chapter 3 of the LDRs. Positive findings can be made with respect to LDR Section 2.4.5(E)(5), regarding compatibility of the proposed development with the surrounding properties for the requested increase in density.

ALTERNATIVE ACTIONS

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

STAFF RECOMMENDATION

By Separate Motions:

Waiver to Percentage 1-Bedroom Units:

Recommend **approval** to the City Commission for the waiver request to LDR Section 4.7.9(i), to allow the increase in the percentage of one-bedroom units from the maximum allowed 30% to up to 50%, based upon positive findings with respect to LDR Section 2.4.5(E).

Class V Site Plan:

Move **approval** of the Class V site plan for The Metropolitan, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Sections 2.4.5(F) and Chapter 3 of the Land Development Regulations, subject to the following conditions:

1. Prior to site plan certification, submit a plat application in accordance with the applicable sections of LDR Section 2.4.3(A),(B),(H),(J),(K),(L) and Section 5.2.2.
2. Per the "Parking Compliance Agreement" between the Metropolitan and Suntrust Bank, as approved by the City Commission on March 3, 2015, a perpetual, non-exclusive easement to Suntrust must be provided for the seven (7) off-site parking spaces for Suntrust Bank along the alley that cannot be amended or terminated with the City's prior written consent. This easement will be reflected on the plat.
3. Prior to building permit issuance, a covenant shall be submitted for approval by the City Attorney's Office and subsequently recorded with Palm Beach County for the five (5) required workforce housing units to be provided off-site as 3BR/2BA single family homes as agreed and relayed to the City Commission on April 21, 2015 in association with the conditional use requests for height and density.
4. Indicate a City approved bus shelter and mass transit easement (as applicable) will be provided per City of Delray Beach LDR Section 2.4.3 (D) (7). A bus shelter is

required to be installed on site for a new residential project that has 25 or more units. Indicate on plans a City approved bus shelter will be installed in accordance with Palm Tran and ADA requirements (eg. 5' x 8' landing area, 30' from intersection, direct access to site, etc). And per LDR Section 6.1.14, bus shelter needs to include a pad, an ADA-compliant boarding and alighting area, and ADA-compliant structures which include a mounted trash receptacle, bike rack, bench and sufficient illumination.

5. Pursuant to LDR Section 6.1.8, utility facilities serving the development shall be located underground throughout the development. A note to this effect shall be placed on the site plan.
6. Prior to site plan certification, submit revised plans which comply with the required ground floor setback and frontage from 70%-90% at a maximum of ten feet (10') along SE 1st Street, otherwise a waiver to LDR Section 4.4.13(F)(4)(c)(1) is required.

Landscape Plan:

Move **approval** of the landscape plan for The Metropolitan, by adopting the findings of fact and law contained in the staff report, and finding that the request meets criteria set forth in Section 4.6.16 of the Land Development Regulations, subject to the following conditions:

1. It appears that applicant has elected to relocate five (5) of the existing oak trees into on-street landscape islands. As per LDR 4.6.19 (E)(5)(d) an in-lieu fee calculated at \$100/caliper inch is to be paid to the City of Delray Beach. Trees that are excluded from the in-lieu fee are those listed within this section. They include, "Trees determined to be diseased, injured, in danger of falling, too close to existing or proposed structures, interfering with utility services, creating unsafe vision clearance, or deemed to be hazardous by the Chief Building official or his/her designee, shall be exempt from replacement on a caliper inch-per-inch basis and shall not be required to deposit the in-lieu of fee into the Tree Trust Fund but the applicant shall be required to plant a tree with a minimum twelve foot (12') height and six foot (6') spread of canopy. Submit a mitigation plan identifying those trees that would be required to be mitigated for (for the in-lieu fee). An arborist's report would be needed if any existing trees are diseased or injured or in danger of falling. Identify all required trees and mitigation trees on plan.
2. A Landscape Maintenance Agreement is required for the proposed plantings outside the property line. Submit the signed agreement with the supporting exhibits (as outlined in the agreement) as quickly as possible. This will have to get executed by City Commission.

Architectural Elevations:

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

APPENDIX "A" CONCURRENCY FINDINGS

Pursuant to LDR Section 3.1.1(B), Concurrency, as defined pursuant to Objective B-2 of the Land Use Element of the Comprehensive Plan, must be met and a determination made that the public facility needs of the requested land use and/or development application will not exceed the ability of the City to fund and provide, or to require the provision of, needed capital improvements for the following areas:

Drainage: Preliminary engineering and drainage plans have been submitted with the proposed development. Drainage will be accommodated via floor drains on the ground level of the parking garage that will connect to an exfiltration trench system. Therefore, there appear to be no problems anticipated in accommodating on-site drainage. However, the Engineering Department does have preliminary engineering technical comments regarding drainage that will need to be addressed at the time of site plan approval. Based upon the above, positive findings with respect to this level of service standard can be made.

Parks and Open Space: The Open Space and Recreation Element of the City's Comprehensive Plan concludes that "The City will have sufficient recreation facilities at build-out to meet the adopted standards". A park impact fee is collected to offset any impacts that the project may have on the City's recreational facilities. Pursuant to LDR Section 5.3.2, a park impact fee of \$500.00 per dwelling unit will be collected prior to issuance of a building permit for each unit. A total fee of twenty-four thousand dollars (\$24,000) will be required of this development for parks and recreation purposes, prior to building permit issuance.

Solid Waste: For the Metropolitan site, the proposed 3,741 sq. ft. of retail generates a total of 19.07 tons of solid waste per year. The proposed 1,318 sq. ft. of office generates a total of 3.55 tons of solid waste per year. The proposed 48 dwelling units will generate a total of 24.96 tons of solid waste per year. Therefore, there will be a net increase of 47.58 tons per year with the proposed development of the site. 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.

Streets and Traffic: The subject property is located within the City's Transportation Concurrency Exception Area (TCEA), which encompasses the CBD, CBD-RC, OSSHAD, and West Atlantic Avenue Business Corridor. The TCEA exempts the above-described areas from complying with the Palm Beach County Traffic Performance Standards Ordinance. Therefore, a traffic study is not required for concurrency purposes. However, a traffic statement is necessary to keep a record of trips approved in the TCEA and for calculation of traffic impact fees. A traffic statement has been provided and concurrency determination has been issued from Palm Beach County which indicates that the proposed development meets the required standards.

Water and Sewer: Water service is available via a lateral service connection to existing 4" water mains located within the rear alleyway and SE 1st Street right-of-way. Sewer service is available via a lateral service connection to existing 8" sanitary sewer mains located within the rear alleyway and SE 3rd Avenue right-of-way. 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.

Schools: The Palm Beach County School District has provided a concurrency determination indicating that the project meets these requirements.

APPENDIX "B"
STANDARDS FOR SITE PLAN ACTIONS

- A. Building design, landscaping, and lighting (glare) shall be such that they do not create unwarranted distractions or blockage of visibility as it pertains to traffic circulation.**

Not applicable _____

Meets intent of standard X

Does not meet intent _____

- B. Separation of different forms of transportation shall be encouraged. This includes pedestrians, bicyclists, and vehicles in a manner consistent with policies found under Objectives D-1 and D-2 of the Transportation Element.**

Not applicable _____

Meets intent of standard X

Does not meet intent _____

- C. Open space enhancements as described in Policies found under Objective B-1 of the Open Space and Recreation Element are appropriately addressed.**

Not applicable _____

Meets intent of standard X

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 _____

Meets intent of standard X

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 _____

Meets intent of standard X

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

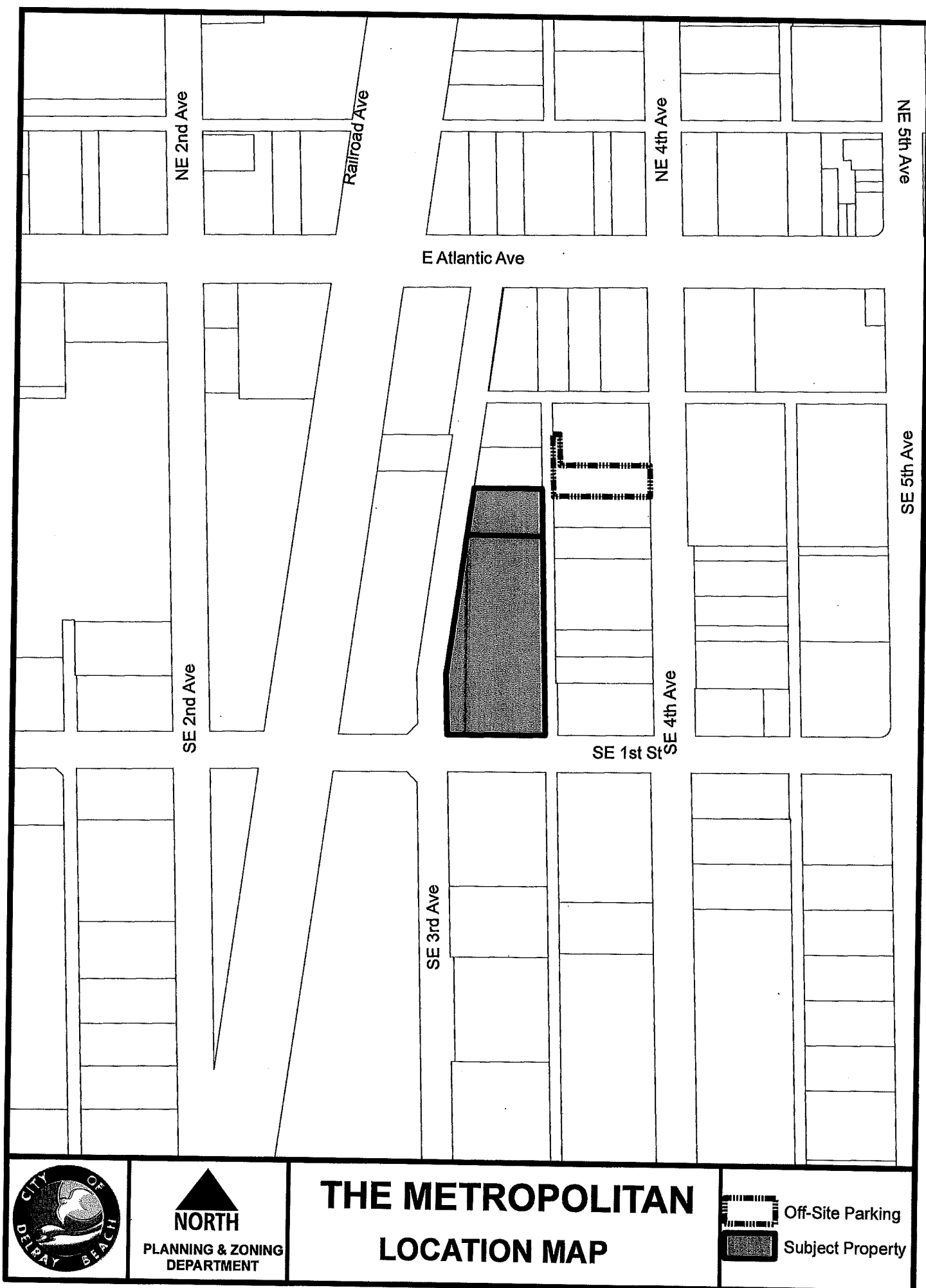
Does not meet intent _____

- 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 _____

Meets intent of standard X

Does not meet intent _____



NE 2nd Ave

Railroad Ave

NE 4th Ave

NE 5th Ave

E Atlantic Ave

SE 5th Ave

SE 2nd Ave

SE 4th Ave
SE 1st St

SE 3rd Ave



THE METROPOLITAN LOCATION MAP



Off-Site Parking

Subject Property



SAFETY AS FLORIDIANS EXPECT

"Help Florida become the most motorist, pedestrian and bicyclist friendly state in the USA"

The Metropolitan at Delray

March 16, 2015

The Metropolitan at Delray will be the most Transportation Demand Management (TDM) friendly project ever constructed in Delray Beach and perhaps anywhere else in the world based on the size of the development.

The Metropolitan at Delray will be encouraging both its residents and employees to leave their cars in their garages and walk, jog, bike and take public transportation instead.

The Metropolitan at Delray will be:

1. Adopting a free, shared use bicycle program for residents,
2. Constructing a secure, 500 sq. ft. air conditioned bicycle storage room,
3. Building a secure shower for employees so that they may jog or bike to work,
4. Providing a public bicycle rack for customers and visitors,
5. Disseminating public transportation route and schedule information to all residents and employees,
6. Promoting carpooling, van pooling and emergency ride home programs,
7. Giving all residents and employees a free, one month Palm Tran pass,
8. Requiring all retail and office tenants to register for the Tri-Rail Employer Discount Program.
9. Assisting in the promulgation of TDM Initiatives both City and County wide.

As a result of adopting these TDM initiatives and based on the Downtown location of this project, SAFE estimates that the number of daily traffic trips will be half that of a comparable development located outside of Downtown.

SAFE fully supports the applicant's request and asks the P & Z Board to approve its conditional use request.

For the Board:

James E. Smith
SAFE Chairman

3/16/15

Date

Charles T. Bonfield
SAFE President

3/16/15

Date

**DEVELOPMENT STANDARDS – SECTION 4.4.13(F)**

In designing the site, the Applicant has taken into account Section 4.4.13(F) – Development Standards and Section 4.6.128(B)(14) – Buildings within the Downtown Area as set forth in the City's LDRs. With the exception of the Waivers requested as part of this application, the project complies with these LDRs.

WAIVER ANALYSIS

Pursuant to LDR Section 2.4.7(B)(5) – **Waivers, Findings:** Prior to granting a Waiver, the approving body shall make a finding that the granting of the waiver:

- (a) Shall not adversely affect the neighboring area;
- (b) Shall not significantly diminish the provision of public facilities;
- (c) Shall not create an unsafe situation; or
- (d) Does not result in the grant of a special privilege in that the same waiver would be granted under similar circumstances on other property for another applicant or owner.

The applicant is requesting the following five (5) waivers:

<u>ULDC CODE SECTION</u>	<u>REQUIRED</u>	<u>PROPOSED</u>	<u>VARIANCE</u>
Waiver 1 LDR Section 4.7.9 (1)	Increase number of one bedrooms	50%	20%

This applicant has provided the following justification with regard to this Waiver request:

Waiver 1:

The project includes 24 one-bedroom units and 24 two-bedroom units, for a total of 48 units. That makes the ratio 50% 1-bedrooms. Although the number of one-bedroom units exceeds the above referenced provision, the program for this project is to provide for sale housing units to serve individuals looking for an "in-town, walk able" lifestyle. The units are large when compared to the recent rental apartment projects being approved. In fact, the 1-bedroom units also have 1.5 baths and are 850-1390 sq ft. which makes it larger than the minimum square footage requirement for 2-bedroom units under the LDR'S. Approval of this waiver will allow for development that will provide more attainable living in the downtown area that is attractive to a variety of people desiring urban living. This development will provide residents the luxury of living in close proximity to a lively downtown with employment and entertainment opportunities

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at attainable pricing, meeting the budgets of many diverse age groups, providing additional patrons for area businesses and furthering many of the goals of the City's Downtown Master Plan and Comp Plan.

CONSISTENCY WITH COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE

The current Future Land Use Plan designation for the site is Commercial Core (CC). The current zoning of the property is Central Business District (CBD). The proposed development program is consistent with both designations and is in harmony with the City's Comprehensive Plan and Land Development Regulations as follows:

Goal Area 'A' Development and Redevelopment of Remaining Land Policy A-1.5

As the city has an ample supply of housing designed to accommodate its seasonal and retirement population, new residential developments shall be designed for a balanced demographic mix of permanent year-round residents. This shall be accomplished through the implementation of policies from Objective B-2 of the Housing Element.

The request for an increase in the density permitted on the subject site is in harmony with this policy. It will allow for additional for-sale dwelling units that are both compatible with demographic mix of permanent year-round residents. By allowing an increase in units in the downtown area increasing better serving not only younger residents, but residential of all age groups, including couples, emerging professionals, and new families who have found it increasingly harder to find quality housing in the downtown area. By providing for more attainable housing, these future residents will be able to find housing in closer proximity to their places of employment and entertainment opportunities, and to reduce their cost of living. With the City's median household income, as provided in the 2010 U.S. Census report, being \$49,745 and thirteen (13) percent living below the poverty level, there is a great need in the area to provide for attainable and varied housing types.

The project has been designed to further the City's vision for the area and will provide FOR-SALE CONDOMINIUMS AND A VARIETY OF AMENITIES AS WELL AS RETAIL/OFFICE SPACE. For the Applicant to succeed, the number of residential units achievable on each site needs to be maximized, and hence the request to increase density. By increasing the number of units, the applicant can serve a greater number of people and spread the cost of construction and over a large number of units.

Table L-5 Future Land Use Allocations: Commercial Land Uses

Per the accompanying narrative for Table L-5 Future Land Use Allocations, the sub category of Commercial Core land use category is described in the following manner under the category of Commercial Land Uses:

Commercial Core: This designation is applied to the Community's Downtown area.... The base residential density within the downtown core area is 30 units per acre, but portions of this area may exceed 30 units per acre, up to a maximum of 100 units per acre, subject to Conditional Use approval...

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This request for an increase in density is in harmony with this policy due to the site's location within the established boundary of the area where increases in density are permitted Central Core. Allowing an increase in density provides the opportunity for additional attainable and diverse housing in the downtown area to sustain a positive growth pattern and to bring new residents into this area to support existing businesses.

The Land Development Regulations for the CBD district call for promoting 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." It further calls for residential development to be permitted at higher densities to "foster compact pedestrian oriented growth that supports the downtown businesses". This request for increased density is in keeping with that objective as it promotes a higher density of residential development in a location where the character and existing conditions not only support a higher density residential development but also will boost the existing residential population in the area that is easy walking distance to Atlantic Avenue to support existing and future non-residential uses in the downtown area. This project also contains an abundance of non-residential uses retail/office space at the ground floor.

CONCURRENCY

Traffic Concurrency

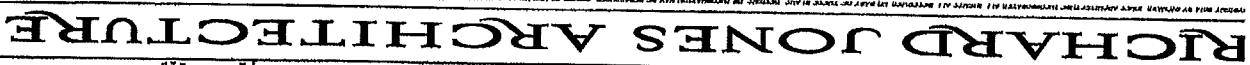
The subject site is located with the boundaries of the Transportation Concurrency Exemption Area (TECA) and is therefore exempt from complying with the Palm Beach County Traffic Performance Standards Ordinance. The applicant has provided a Traffic Statement to document the number of new trips approved with this project with in TECA.

Based on the above analysis, the Applicant believes that the development complies with the performance standards of Section 4.4.13(I), The required findings of Section 2.4.5(E)(5), and other applicable standards of the Comprehensive Plan and Land Development Regulations to support the requested increase in density, height and the requested waiver.

On behalf of the Applicant, Richard Jones Architecture, Inc. respectfully requests approval of this Conditional Use application and the request for one waiver for the *The Metropolitan* project. If you should have any additional questions or comments, please contact us at (561) 274-9186.

Respectfully,

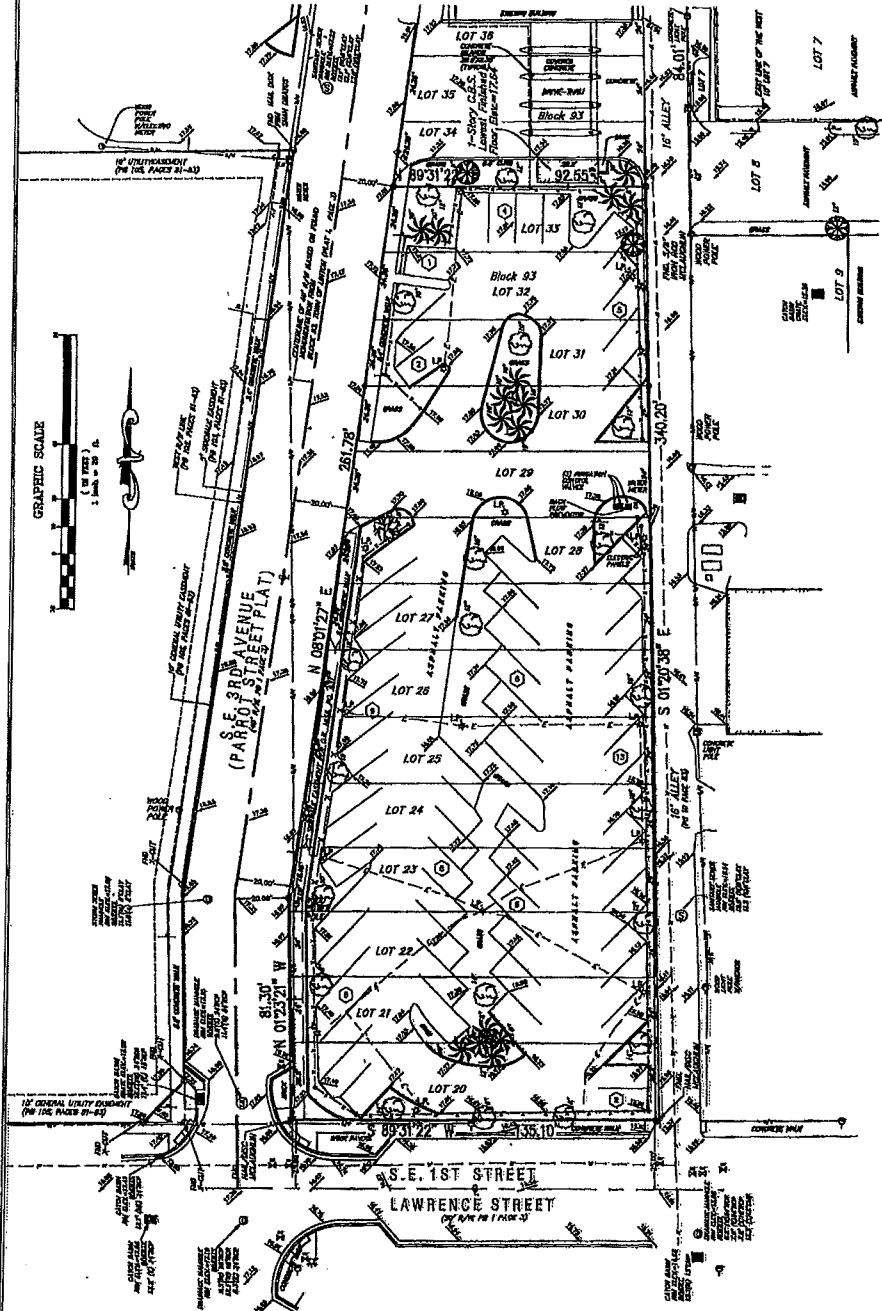
Richard Jones Architecture Inc.
Richard Jones, AIA NCARB
Principal



CVR		COVER SHEET		RETURNED 33 SE 3RD AVENUE THE METROPOLITAN 33 SE 3RD AVENUE MIAMI BEACH, FL 33134 THE METROPOLITAN 101 YAMATO ROAD SUITE 307 HOOKER, FLORIDA 33411		RICHARD JONES ARCHITECTURE 33 SE 3RD AVENUE MIAMI BEACH, FL 33134 TEL: 305.441.1111 FAX: 305.441.1112 WWW.RICHARDJONESARCHITECT.COM		RICHARD JONES ARCHITECTURE 	
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FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

DATE	BY
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1-27-15	OK
2-10-15	OK

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RICHARD JONES ARCHITECTURE

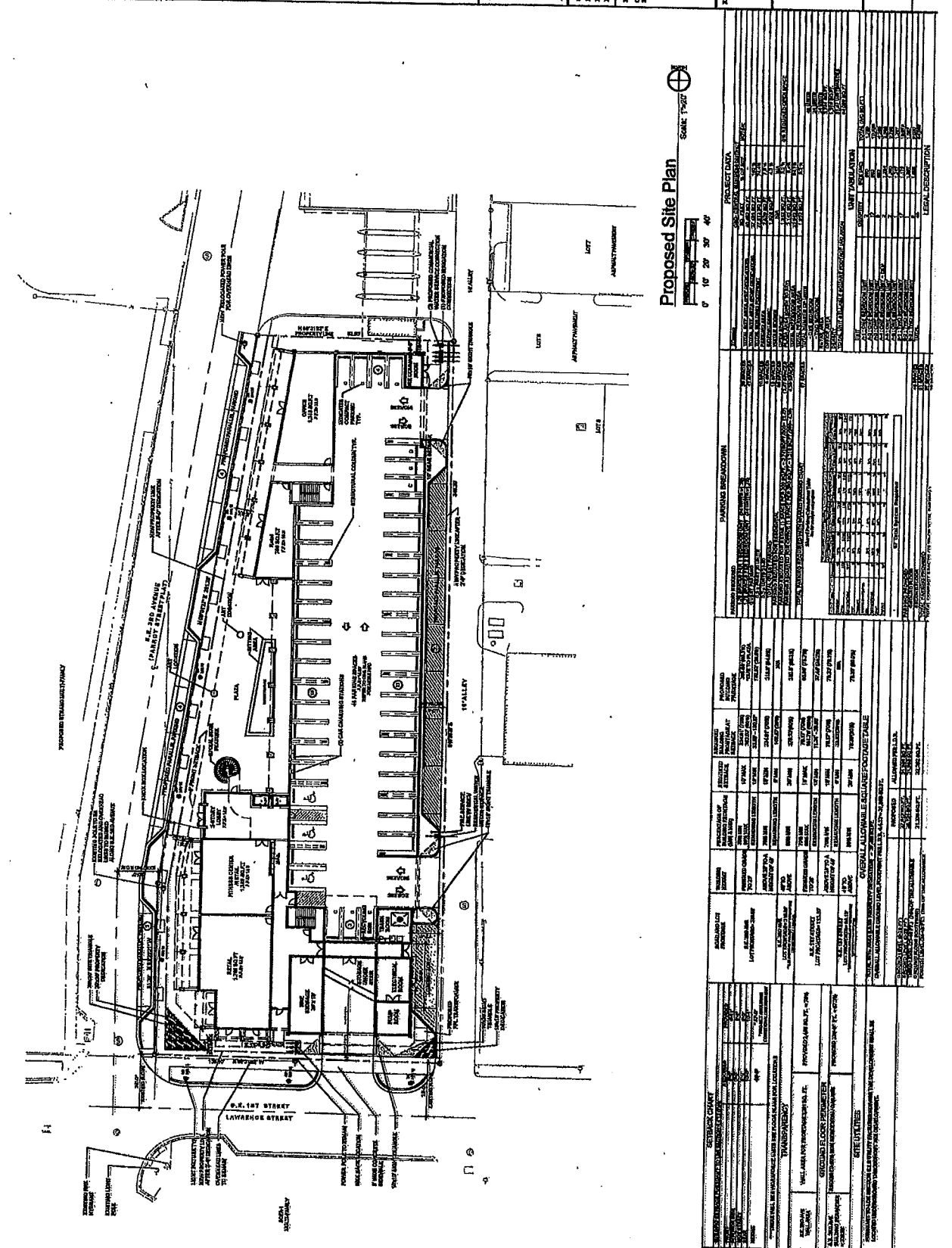
100 YAKAWAY ROAD SUITE 307
DELAWARE, DE 19701

TEL: 302.441.1234
WWW.RJA-ARCHITECTURE.COM

THE METROPOLITAN
33 SE 3RD AVENUE
DELAWARE, DE 19701

PROJECT DATA

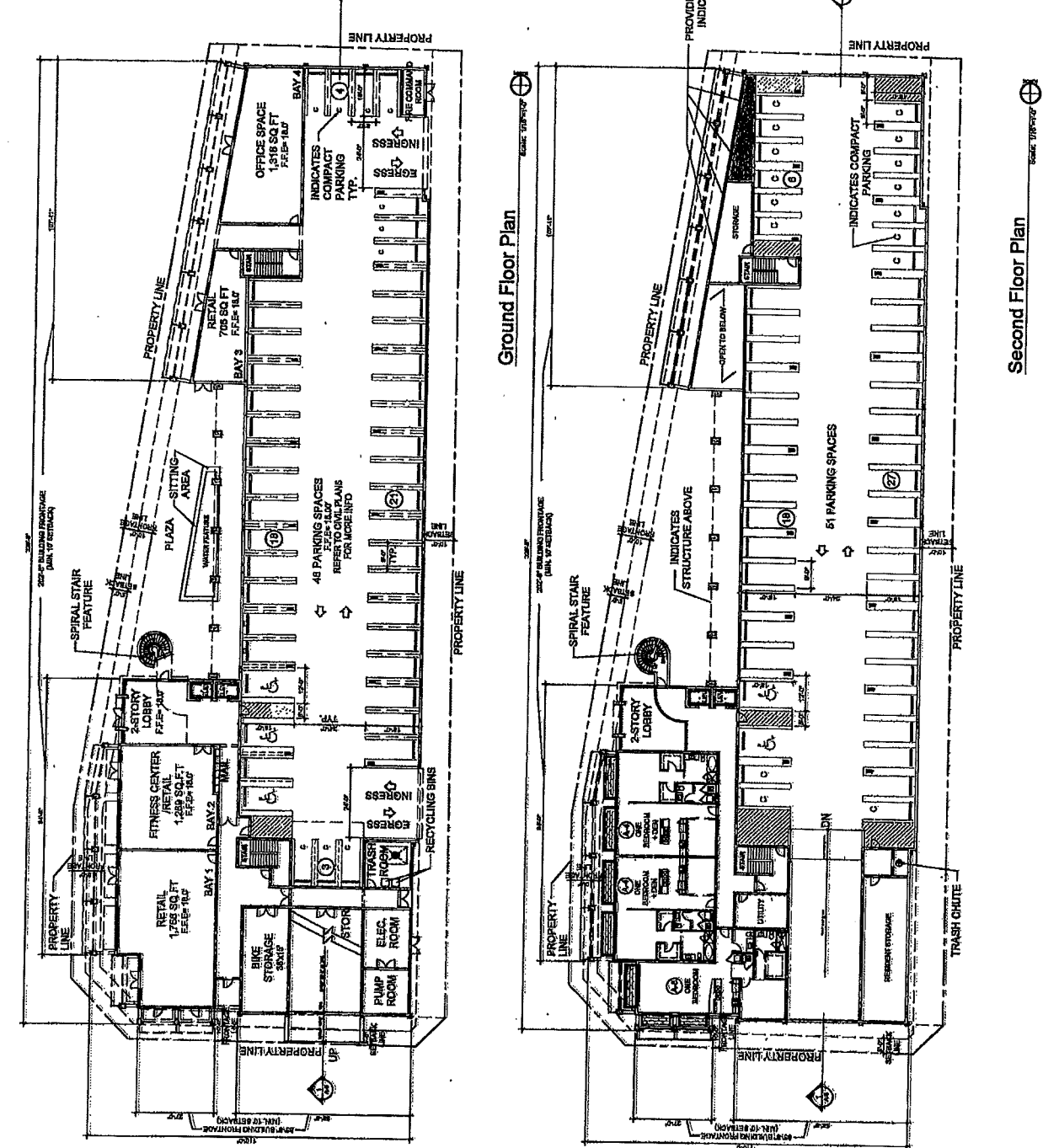
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PROJECT NUMBER: 100
DATE: 10/20/2017
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CHECKED BY: [Signature]
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REMARKS	DATE	BY
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2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.		
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WORKFORCE UNITS	
UNIT TYPE	
1 BEDROOM	2 UNITS
2 BEDROOM	2 UNITS
3 BEDROOM	2 UNITS
TOTAL TO BUILDING PLANS FOR LOCATION	6 UNITS

BUILDING SQUARE FOOTAGE CHART	
BUILDING FOOTPRINT	22,411 SQ. FT.
GROUND FLOOR AND SQUARE FOOTAGE	10,000 SQ. FT.
SECOND FLOOR AND SQUARE FOOTAGE	10,000 SQ. FT.
THIRD FLOOR AND SQUARE FOOTAGE	10,000 SQ. FT.
FOURTH FLOOR AND SQUARE FOOTAGE	10,000 SQ. FT.
FIFTH FLOOR AND SQUARE FOOTAGE	10,000 SQ. FT.
TOTAL SQUARE FOOTAGE	50,000 SQ. FT.



ELEVATIONS	
A-4	
NOTES:	
STAIRS:	
FINISHES:	
CONCRETE:	
PAINTS:	
GLASS:	
ROOFING:	
MECHANICAL:	
ELECTRICAL:	
PLUMBING:	
HEATING:	
Cooling:	
Lighting:	
Acoustics:	
Security:	
Accessibility:	
Other:	
Architect:	
Engineer:	
Contractor:	
Owner:	
Address:	
City:	
State:	
Zip:	
Phone:	
Fax:	
Email:	
Website:	
Project Name:	
Project Number:	
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Project Location:	
Project Description:	
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RICHARD JONES ARCHITECTURE

1001 YAMATO ROAD SUITE 102
BOCA RATON, FLORIDA 33431

TEL: 561-995-1100
WWW.RICHARDJONESARCHITECTURE.COM

THE METROPOLITAN
33 SE 3RD AVENUE
DELRAY BEACH, FL 33444

ARCHITECT: RICHARD JONES ARCHITECTURE
DATE: 01/15/2014
PROJECT NO: 14001

PROJECT INFORMATION

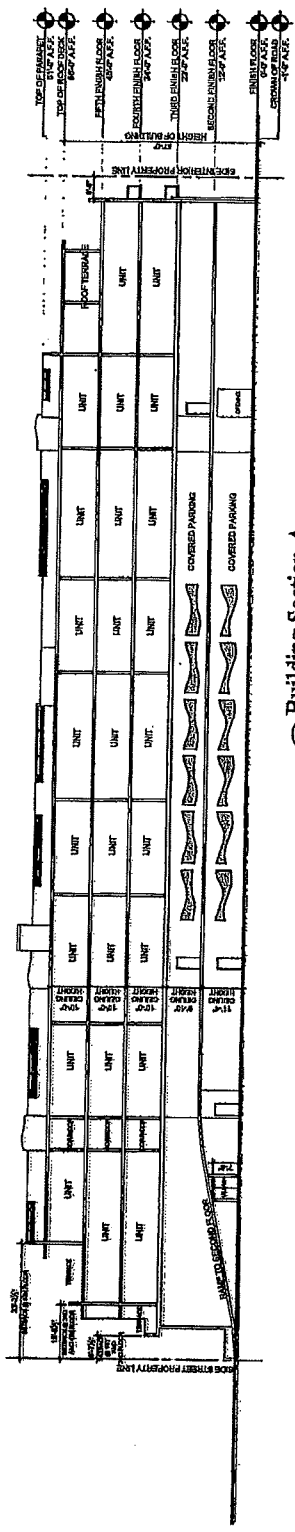
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DATE: 01/15/2014
PROJECT NAME: THE METROPOLITAN
33 SE 3RD AVENUE
DELRAY BEACH, FL 33444

CLIENT INFORMATION

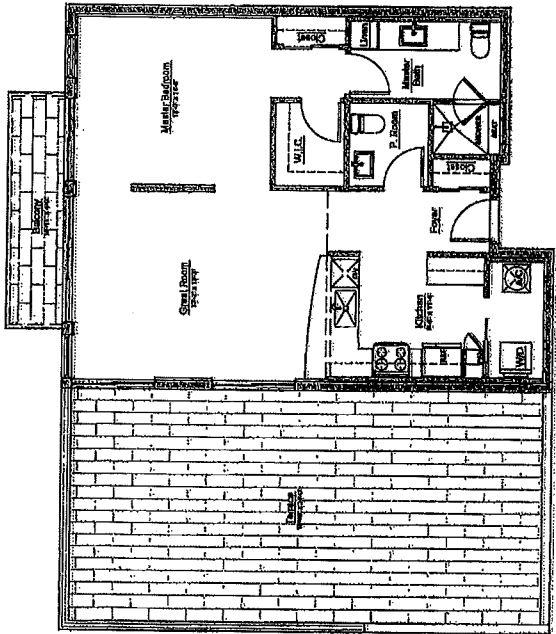
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CLIENT ADDRESS: 33 SE 3RD AVENUE
DELRAY BEACH, FL 33444

DESIGNER INFORMATION

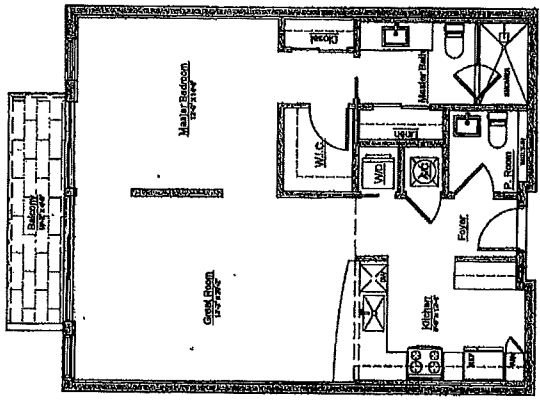
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DESIGNER ADDRESS: 1001 YAMATO ROAD SUITE 102
BOCA RATON, FLORIDA 33431



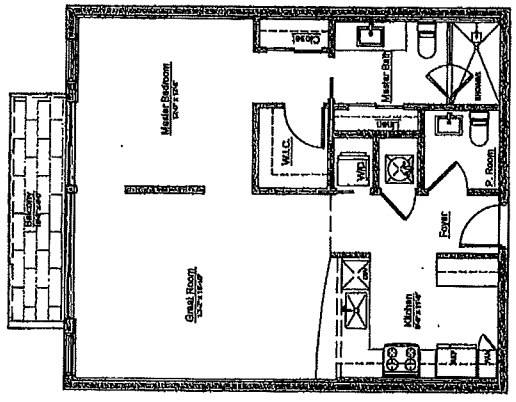
1 Building Section-A
 SCALE: 1/8"=1'-0"
 NOTES: POST SYMBOLS ON BUILDING FOR LIGHT FRAME TRUSS TYPE CONSTRUCTION.



One Bedroom Unit: A-1 (2 TOTAL)
 AC AREA = 905 SQ. FT.
 BALCONY = 85 SQ. FT.
 TERRACE = 675 SQ. FT.
 TOTAL = 1,465 SQ. FT.



One Bedroom Unit: A-2 (12 TOTAL)
 AC AREA = 905 SQ. FT.
 BALCONY = 85 SQ. FT.
 TOTAL = 970 SQ. FT.



One Bedroom Unit: A-3 (5 TOTAL)
 AC AREA = 853 SQ. FT.
 BALCONY = 87 SQ. FT.
 TOTAL = 940 SQ. FT.

** BALCONY CONFIGURATION AND SIZES MAY VARY

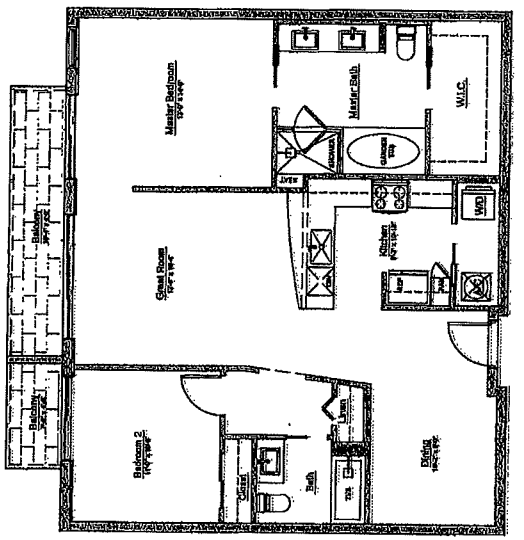
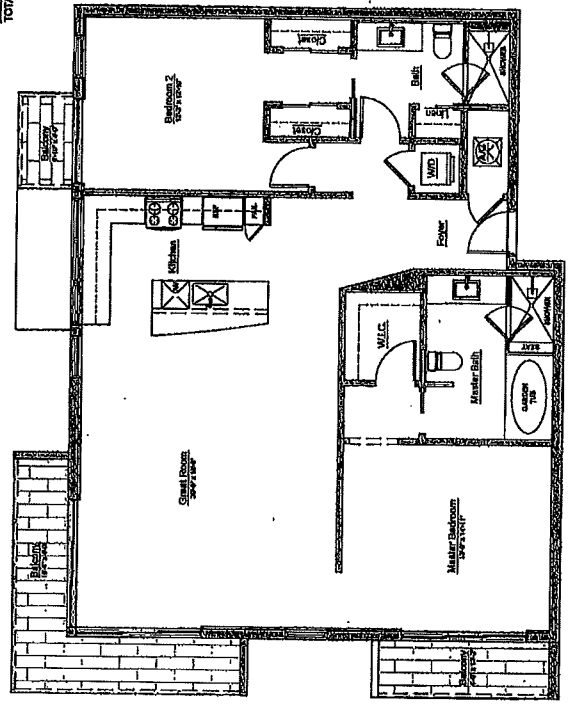
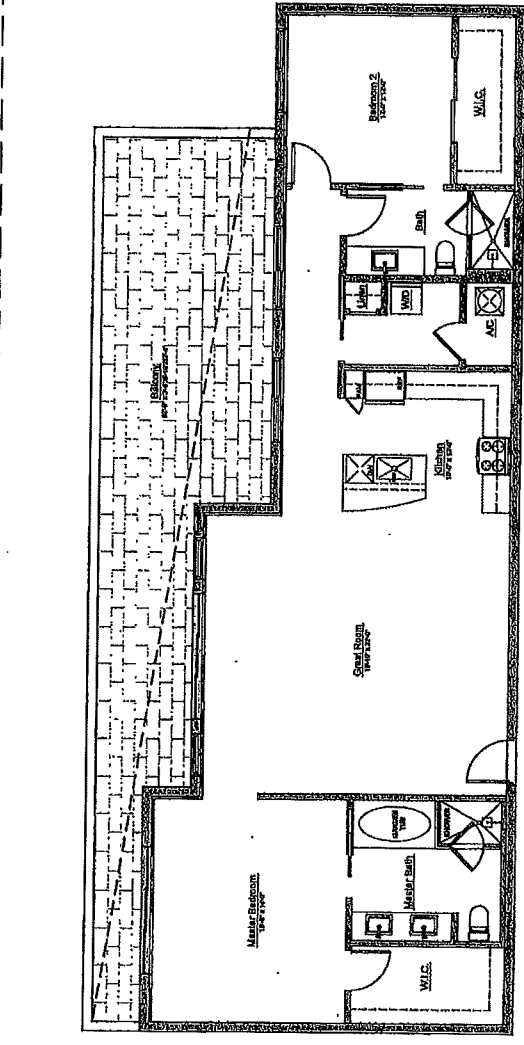


NC AREA = 1,257 SQ.FT.
 BALCONY = 134 SQ.FT.
 TOTAL = 1,401 SQ.FT.


$$\begin{array}{r} \text{C.A. AREA} = 1,284 \text{ SQ.FT.} \\ \text{BALCONY} = 120 \text{ SQ.FT.} \\ \hline \text{TOTAL} = 1,404 \text{ SQ.FT.} \end{array}$$


AC AREA = 1,380 SQ. FT.
 BALCONY = 188 SQ. FT.
 TOTAL = 1,578 SQ. FT.

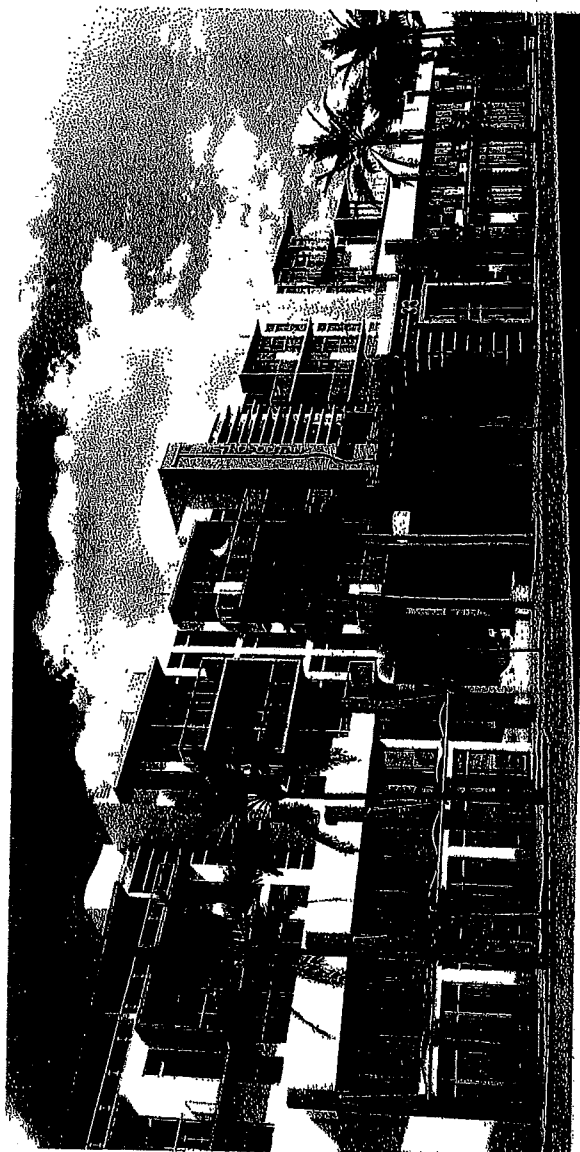
ADDITIONAL SEES ANY POLYMERIZATION AND/OR



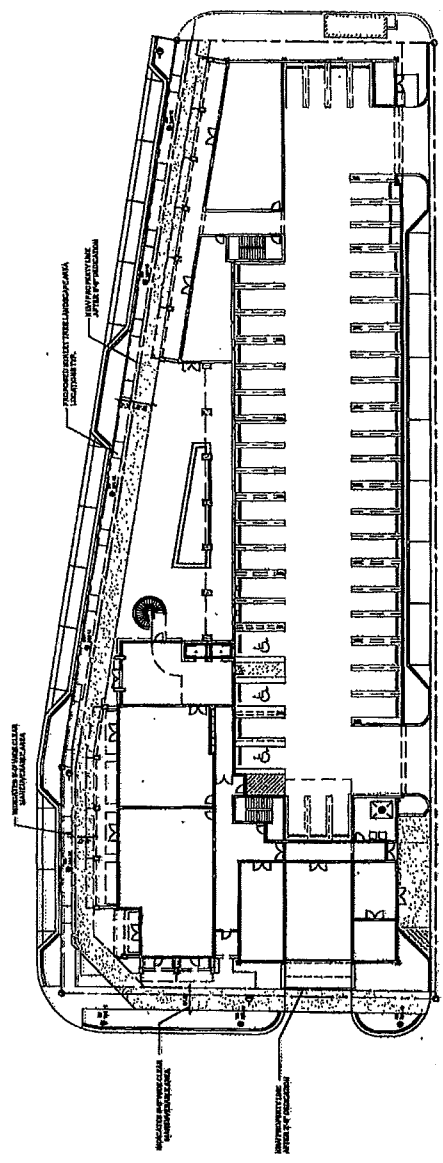
* BALCONY CONFIGURATION AND SIZE MAY VARY



West Elevation From Corner Scale: N.T.S.

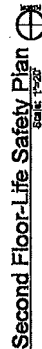


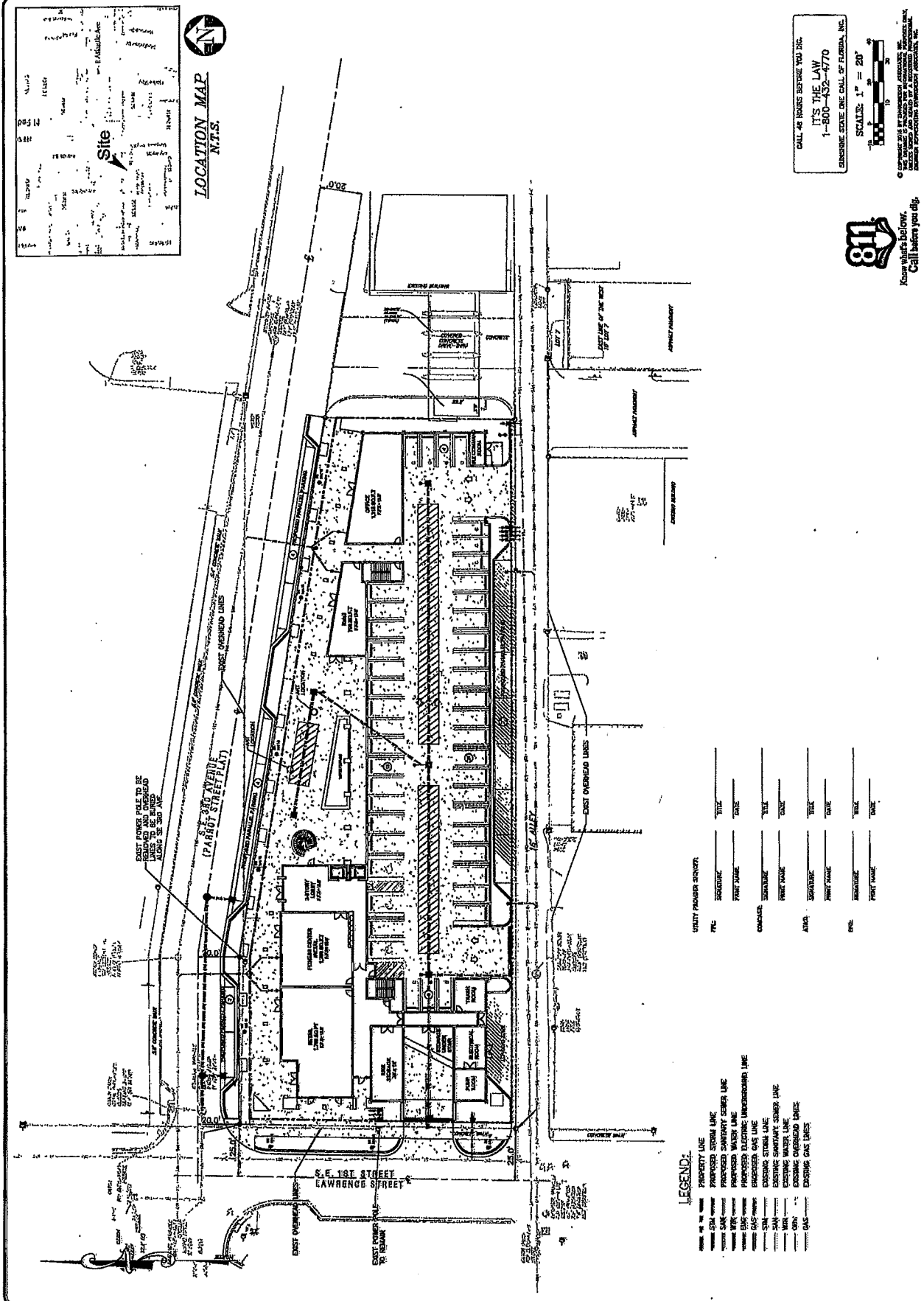
West Elevation Along S.E. 3rd Street



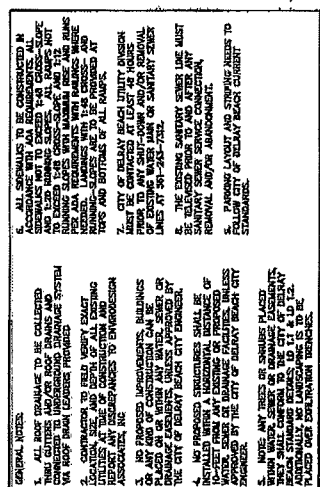
Enlarged Sidewalk Plan



[illegible]



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 SCALE: 1" = 20'
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811

Know what's below.
Call before you dig.

PAVEMENT MARKING SPECIFICATIONS RT 8.1b
(Sheet 2 of 2)

ALL PAVEMENT MARKINGS
 All pavement markings shall be properly marked prior to the start of construction.

PAVED PAVEMENT MARKINGS
 - Markings shall be painted on all new and old pavement surfaces.
 - Markings shall be painted on all new and old pavement surfaces.
 - Markings shall be painted on all new and old pavement surfaces.

OTHER NOTES
 - Markings shall be painted on all new and old pavement surfaces.
 - Markings shall be painted on all new and old pavement surfaces.
 - Markings shall be painted on all new and old pavement surfaces.

PAVEMENT MARKING SPECIFICATIONS RT 8.1c
(Sheet 1 of 2)

PAVED PAVEMENT MARKINGS
 - Markings shall be painted on all new and old pavement surfaces.
 - Markings shall be painted on all new and old pavement surfaces.
 - Markings shall be painted on all new and old pavement surfaces.

TEMPORARY MARKINGS
 - Markings shall be painted on all new and old pavement surfaces.
 - Markings shall be painted on all new and old pavement surfaces.
 - Markings shall be painted on all new and old pavement surfaces.

PAVEMENT MARKING SPECIFICATIONS RT 8.1d
(Sheet 1 of 2)

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TEMPORARY MARKINGS
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TEMPORARY MARKINGS
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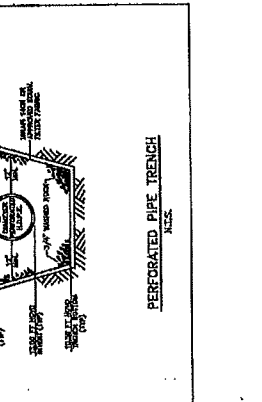
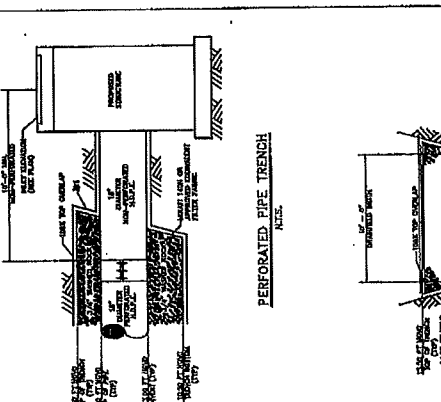
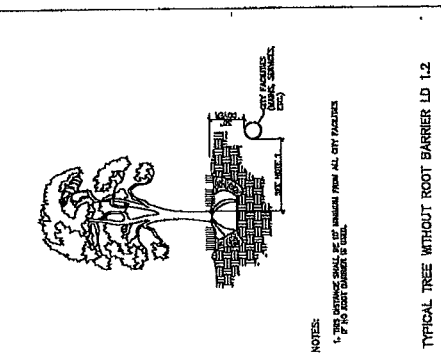
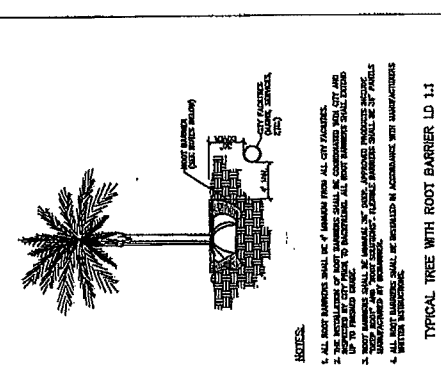
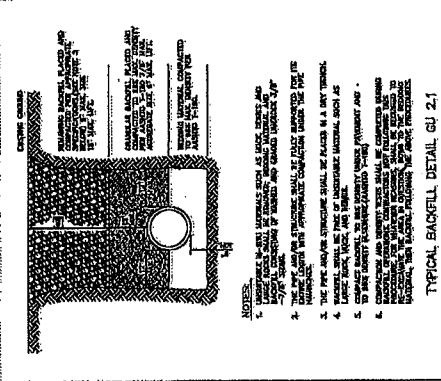
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 1-800-432-4770

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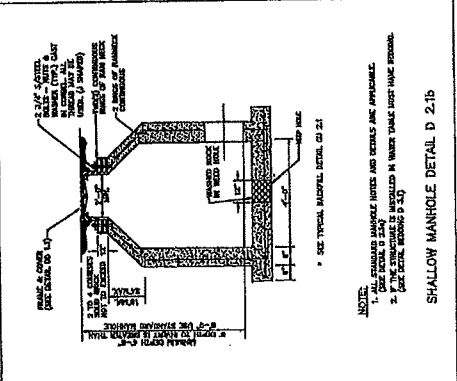
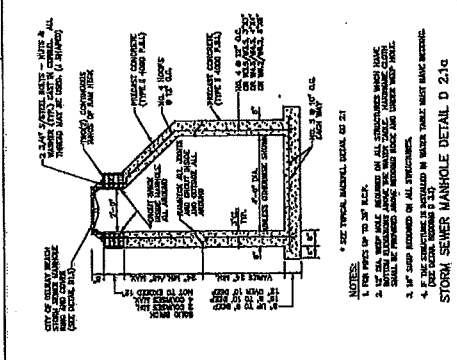
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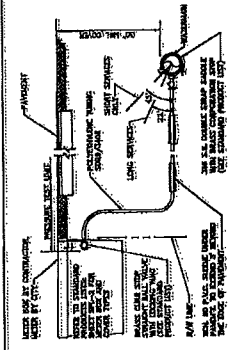




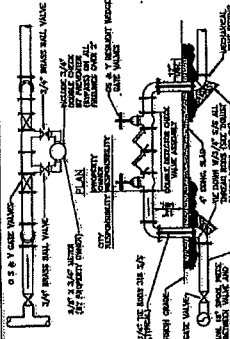
PAVING, GRADING AND DRAINAGE NOTES

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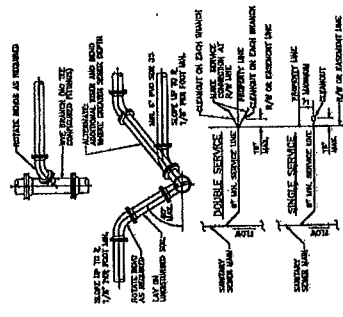




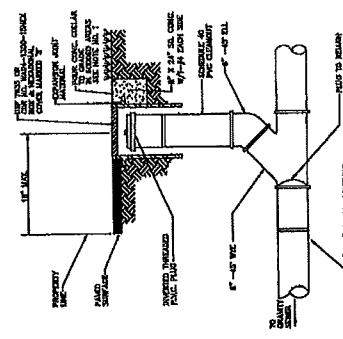
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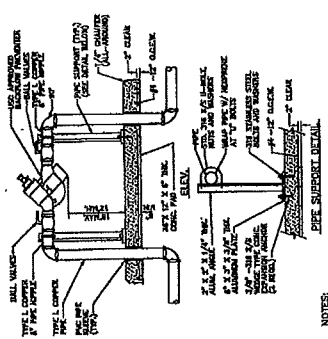
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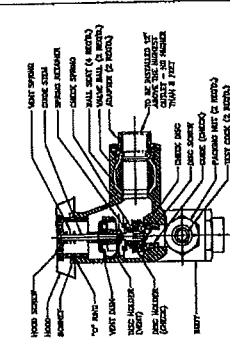
1. SERVICE LICENSES SHALL TERMINATE INSIDE PROPERTY LIKE A DEED
2. CERTAIN MORTGAGES SHALL NOT BE PROPERTY OF THE PROPERTY OWNER RESPONSIBILITY
3. SIZE OF THE PROPERTY SHALL BE DETERMINED BY THE PROPERTY OWNER
4. SIZE OF THE PROPERTY SHALL BE DETERMINED BY THE PROPERTY OWNER



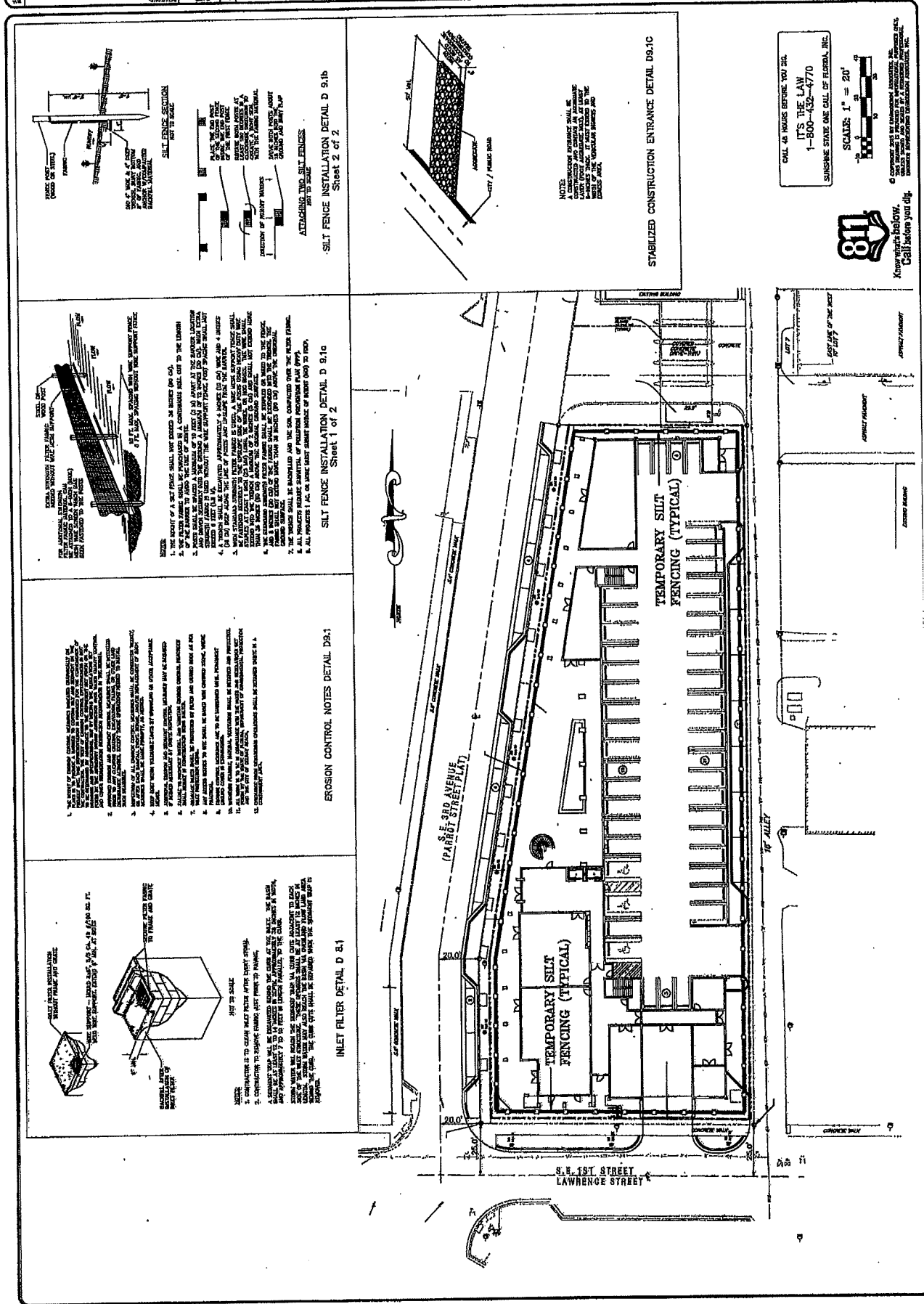
- NOTE:
1. IDENTIFIED SUBJECTS CAN BE USED IN CRISIS AREAS IN LIEU OF CASTING AND
STORY WRITERS.
2. HAVING THE COMPETITION TO RELY ON SERVICES THAT DONORS NOT ALLOWED TO PROVIDE DAMAGES CONNECTION

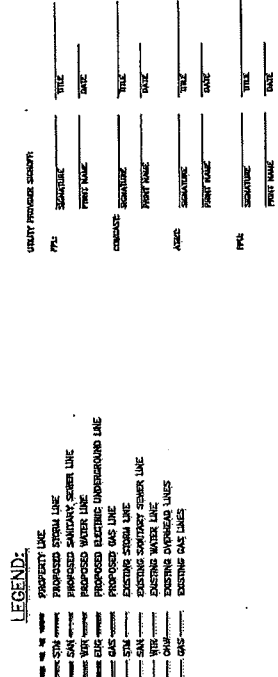
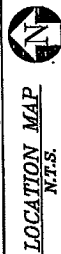


1. ARE ALL SERVICES LESS THAN OR EQUAL TO 100 %?
2. ARE ALL SERVICES LESS THAN OR EQUAL TO 100 %?
3. ARE ALL SERVICES LESS THAN OR EQUAL TO 100 %?
4. ARE ALL SERVICES LESS THAN OR EQUAL TO 100 %?

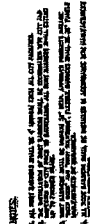


- TOTAL REGULATION SHELTER
AND COVERED INVESTMENT
VEHICLE BREAKDOWN**
- NOTES:**
1. WASTE REGULATION COMPANY IS EXEMPTED.
 2. VALUE SHALL MOST OF EXCEED THE ASSES. BONA AND
 3. LEASE, REDEMPTIONS
 4. 10% OF THE TOTAL VALUE OF THE INVESTMENT
 5. 10% OF THE TOTAL VALUE OF THE INVESTMENT
 6. 10% OF THE TOTAL VALUE OF THE INVESTMENT
 7. 10% OF THE TOTAL VALUE OF THE INVESTMENT
 8. 10% OF THE TOTAL VALUE OF THE INVESTMENT
 9. 10% OF THE TOTAL VALUE OF THE INVESTMENT
 10. 10% OF THE TOTAL VALUE OF THE INVESTMENT





At the time of the shooting, the victim was wearing a dark jacket and dark pants. The victim was wearing a dark jacket and dark pants. The victim was wearing a dark jacket and dark pants.



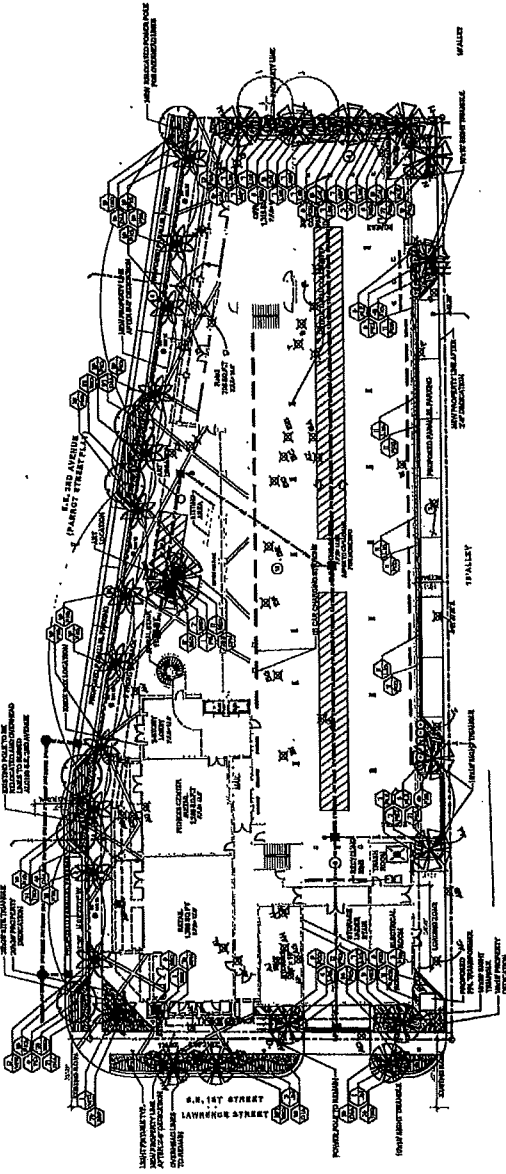
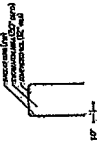
TYPICAL TREE WITH ROOT BARRIER LD 1.1



TYPICAL TREE WITHOUT ROOT SARKER ID 12

DETAIL

PHOTOGRAPHED BY THE BUREAU OF THE ARMY



PLANT LIST

[illegible]

EXISTING TREE LIST

[illegible]

LEGEND

STRAIN COMPENSATION	+
WATTS COMPENSATION	+
TEMP. COMPENSATION AS NEUTRON FLUX	+
CRUCIALITY OF CRITICAL SECTION	+
WATTS OF WATTS SECTION	+
WATTS OF CRITICAL SECTION	+
CRUCIALITY OF CRITICAL SECTION	+

the metropolitan

dave baker
landscape architecture/planning inc.
601 z. congress ave., suite 100-e
duney beach, florida 33445

planting plan

data scale drawn by	project number	3-15-20	revisions
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◀◀◀◀◀◀

1 of 2 sheets



2 of 2 sheets

1. The first step in the process of identifying a problem is to recognize that a problem exists. This involves gathering information about the situation and identifying the specific issue that needs to be addressed.

2. Once a problem has been identified, the next step is to define the problem clearly. This involves stating the problem in a concise and specific manner, identifying the scope of the problem, and determining the goals that need to be achieved.

3. The third step in the process is to generate potential solutions. This involves brainstorming ideas and considering different approaches to solving the problem. It is important to consider a wide range of options and to evaluate the potential benefits and drawbacks of each solution.

4. The fourth step is to select the best solution. This involves comparing the potential solutions and choosing the one that is most likely to be effective and feasible. It is important to consider the resources available and the time constraints when making this decision.

5. The final step in the process is to implement the solution. This involves putting the chosen solution into action and monitoring the progress. It is important to communicate the plan to all relevant parties and to ensure that everyone is working towards the same goal.

1. The first of these is the fact that the majority of the population of the United States is now living in urban areas. This is a result of the process of urbanization, which has been going on since the beginning of the nineteenth century. The process of urbanization is the movement of people from rural areas to urban areas. This movement is caused by a number of factors, including the search for better living conditions, the desire for education, and the need for employment. The process of urbanization has led to the growth of large cities and the decline of small towns.

[illegible][illegible]

Diagram of a tree with labels:

- Crested tit nesting hole
- 2 ft. nest-box with entrance hole 2 ft. or more
- Shaded space around nest-box

RICHARD JONES 		ARCHITECTURE 10000 W. 10TH AVE. SUITE 1000 DENVER, CO 80202 303.733.1000 303.733.1000 303.733.1000	THE METROPOLITAN 33 SE 3RD AVENUE DENVER BEACH, CO 80244 THE METROPOLITAN ARCHITECT, P.C. 1001 VANATON ROAD SUITE 307 ROCKFORD, ILLINOIS 61101	PLUMBING 	LICENSED 10000 W. 10TH AVE. SUITE 1000 DENVER, CO 80202 303.733.1000 303.733.1000 303.733.1000	CONTRACTOR # 14002 10000 W. 10TH AVE. SUITE 1000 DENVER, CO 80202 303.733.1000 303.733.1000 303.733.1000	SUBMITTALS CONTRACTOR'S SUBMITTALS 10000 W. 10TH AVE. SUITE 1000 DENVER, CO 80202 303.733.1000 303.733.1000 303.733.1000	SEWERAGE 10000 W. 10TH AVE. SUITE 1000 DENVER, CO 80202 303.733.1000 303.733.1000 303.733.1000	PHOTOMETRIC 10000 W. 10TH AVE. SUITE 1000 DENVER, CO 80202 303.733.1000 303.733.1000 303.733.1000	PH-1
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Model	Type	Capacity	Power	Voltage	Frequency	Weight	Dimensions	Features	Price	Availability	Comments	Notes	Remarks	Status	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved	Signature	Date	By	Checked	Reviewed	Approved
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[illegible]