



# DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

## PLANNING AND ZONING BOARD STAFF REPORT

### Kia Delray

Meeting	File No.	Application Type
October 20, 2025	2024-259-SPR-LV3	Level 4 Site Plan Modification, with 2 Waivers
Property Owner	Authorized Agent	
Myers Auto Group DK LLC	Mike Troxell, Thomas Engineering	

### Request

Provide a recommendation to the City Commission on a Level 4 Site Plan Modification, with Architectural Elevations and Landscape Plan, for Kia Delray to demolish the existing building at 2255 South Federal Highway and construct a two-story dealership with a three-story parking garage to the rear, and two associated waivers to (1) reduce the required number of bicycle showers, and (2) reduce the required setback of the rear wall.

### Site Data & Information

**Location:** 2255 South Federal Highway

**PCN:** 12-43-46-28-07-021-0010

**Total Development Area:** 3.07 acres

**Land Use Designation:** General Commercial (GC)

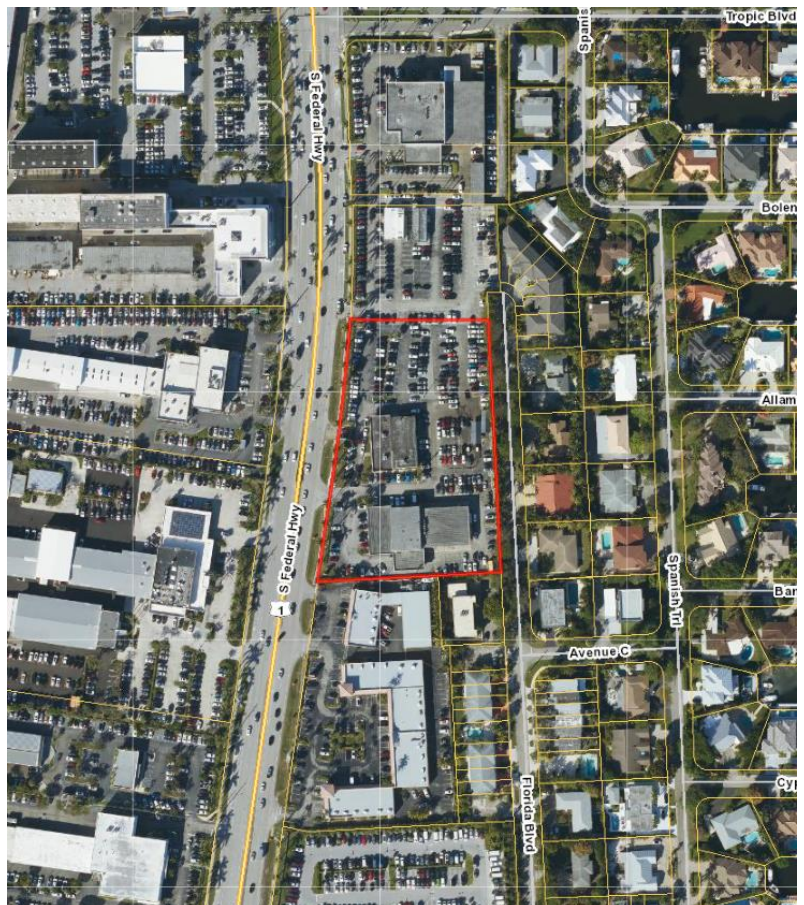
**Zoning District:** Automotive Commercial (AC)

#### Adjacent Zoning:

- **North:** Automotive Commercial (AC)
- **South:** Planned Commercial (PC) and Medium Density Residential (RM)
- **West:** Automotive Commercial (AC)
- **East:** Medium Density Residential (RM)

**Existing Use:** Full Service Automotive Dealership

**Proposed Use:** Full Service Automotive Dealership





## Background

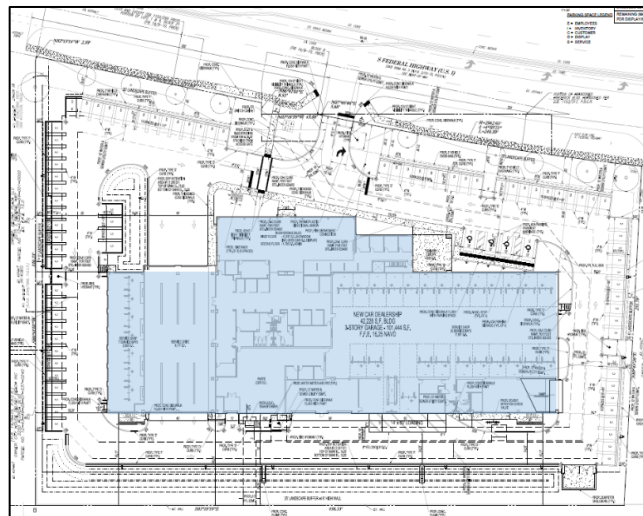
The subject property is located on the east side of South Federal Highway, and lies within the South Federal Highway Redevelopment Plan area (map at right). Federal Highway is a critical corridor under the jurisdiction of the Florida Department of Transportation (FDOT). This prime location along a major arterial road ensures high visibility and accessibility, which aligns with the City's long-term vision for the revitalization and redevelopment of the corridor. The existing development consists of two two-story structures, totaling 24,040 square feet. The northern structure was built in 1964 and the southern structure was completed in 1986.



## Description of Proposal

The development proposal includes the demolition of the existing structure and the construction of a full-service automotive dealership. The proposed 143,672 square-foot structure is designed to accommodate multiple functions across its four floors, providing a comprehensive solution to support sales, services and operational activities. The building functions are detailed as follows:

- First Floor: Motor vehicle showroom and sales area, combined with motor vehicle repair and service garages, and parts storage.
- Second Floor: Admin area and first floor of parking garage dedicated to customer, employee, inventory and service parking spaces.
- Third and Rooftop Floor: Open air parking garage dedicated to employee, inventory and service parking spaces.



The applicant has also requested two waivers:

- Relief from LDR Section 4.6.9(C)(1)(c)5., to reduce the number of required showers from eight showers to one shower
- Relief from LDR Section 4.6.5(F), to allow the rear wall adjacent to the residential zoning district to remain at the property line rather than providing the required two-foot setback.

The waiver requests and required findings to approve the waiver are discussed in detail later in the report.





## Review and Analysis: Site Plan

### **LDR Section 2.4.10(A)(1)(d), Level 4**

*Level 4 Site Plan applications include requests that could otherwise be classified as a Level 2 or Level 3 Site Plan application but have concurrent request requiring final action by the City Commission for one or more of the following:*

- 1. Increase of height or density as part of a City workforce housing or incentive program.*
- 2. Utilization of the Central Business District (CBD) Incentive Program.*
- 3. Approval of Conditional Use.*
- 4. Granting of an In-lieu of Parking Fee request.*
- 5. Approval of Waiver(s) not otherwise authorized to other approving bodies.*

### **LDR Section 2.1.5(E)(5), Board Recommendations**

*The Planning and Zoning Board shall review and make recommendations to the City Commission with respect to the following items, pursuant to the procedures and standards of the Land Development Regulations (LDR):*

- (j) Level 4 Site Plan Applications, including any density or height increases, and associated relief such as waivers, variances, etc.*

The proposed expansion will result in a total site building area of 143,672 square feet. Due to the requested relief, the Level 4 Site Plan modification and waivers will receive recommendations by the Planning and Zoning Board (PZB), and final actions by the City Commission, pursuant to the procedures of Chapter 2.

### **LDR Section 2.4.10(A)(3)(b), Findings**

*Level 2, Level 3, and Level 4 Site Plan applications require compliance with the findings in Chapter 3, Performance Standards.*

### **LDR Section 3.1.1 Required Findings**

*Prior to the approval of development applications, certain findings must be made in a form which is a 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.*

A complete review and analysis of the request based on the Required Findings of LDR Section 3.1.1 are provided throughout the following report sections.

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

The subject property has a General Commercial (GC) Land Use Map designation, and a zoning designation of Automotive Commercial (AC). These designations are consistent with one another, allowing for commercial activities with an emphasis on automotive-related uses. Pursuant to LDR Section 4.4.10(B)(1), full service automotive dealerships are permitted uses within the AC District.

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

**Water and Sewer:** The potable water service and sewage system will be provided through connections to the existing main on South Federal Boulevard, ensuring efficient and compliant utility service for the expanded site.

**Drainage:** On-site drainage will be managed through dry retention areas and a utility drainage system designed to contain the stormwater runoff within the property. The system is approved by the City Engineer and Utility Plans Reviewer.

**Streets and Traffic:** Based on the Palm Beach County Traffic Performance Standards (TPS) review, dated June 3, 2024, the Palm Beach County Traffic Division has determined that the proposed development meets the County's TPS requirement. As such, the anticipated traffic impact generated by the project has been deemed acceptable under current standards.



Parks and Recreation Facilities: Not applicable.

Solid Waste: Based on the Palm Beach County Waste Generation Rates, the proposed project is expected to generate approximately 661 tons of solid waste annually. The Solid Waste Authority has confirmed that its facilities have adequate capacity to accommodate this projected increase in waste generation, with sufficient capacity until 2054.

Schools: Not applicable.

**(C) Consistency** *A finding of overall consistency may be made even though the action will be in conflict with some individual performance standards within Article 3.2, provided that the approving body determines that the beneficial aspects of the proposed project (hence compliance with some standards) outweighs the negative impacts of identified points of conflict.*

The applicable subsections include LDR Section 3.2.1, which mandates consistency with the Comprehensive Plan, and LDR Section 3.2.3, which outlines standards for site plan actions. These standards ensure that new development addresses critical factors such as traffic circulation, open space, mobility, and land use compatibility.

### Section 3.2.3 Standards for Site Plan Actions: Analysis

- **Sec. 3.2.3(A) Building Design, Landscaping, and Lighting.** *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.*

The landscaping and lighting of the Kia Delray project meet the relevant LDR standards. However, certain aspects of the building design remain inconsistent with the intent of LDR standards and applicable redevelopment plan. The parking garage elevations lack sufficient articulation and variation in materials, resulting in a visually heavy façade that detracts from corridor aesthetics. Detailed analysis is provided in this report.

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

The Kia Delray project complies with the requirements for pedestrian, bicycle, and vehicular connections, ensuring ADA-compliant routes from building entry points to the sidewalk network. The overall site layout supports functional circulation and accessibility within and around the property. However, the requested waiver to reduce the number of required bicycle showers may limit long-term alignment with the City's multimodal transportation objectives. Further discussion of the waiver and its implications is provided in the Waiver Requests section of this report.

- **Sec. 3.2.3(C) Open Space and Recreational Amenities.** *Open space enhancements and recreational amenities shall be provided to meet Objective OPR 1.4 and other requirements of the Goals, Objectives, and Policies of the Open Space, Parks, and Recreation Element.*

The proposed open space meets the minimum requirements set by the LDR, and the project aligns with the Open Space, Parks, and Recreation Element. Compliance with Objective OPR 1.4 is analyzed in a separate section of this report.

- **Sec. 3.2.3(D) Traffic Circulation and Street Modifications.** *Any proposed street widening or modifications to traffic circulation shall be evaluated by the City, and if found to have a detrimental impact upon or result in the degradation of an existing neighborhood, the request shall be modified or denied.*

Traffic studies indicate no significant detrimental impact on surrounding roadways from the proposed development. A concurrency analysis further supports that the project will not degrade traffic conditions in nearby neighborhoods.

- **Sec. 3.2.3(F) Intensity and Compatibility.** *Property shall be developed or redeveloped in a manner so that the use, intensity, and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable goods and services; are complementary to and compatible with adjacent land uses; and fulfill remaining land use needs.*



The proposed expansion maintains an intensity consistent with the (AC) District and supports the ongoing redevelopment pattern along South Federal Highway. The use remains appropriate for the corridor, which is characterized by similar full-service automotive facilities. However, the overall scale and massing of the project, particularly the three-level parking structure, warrant careful consideration of compatibility with the adjacent residential district to the east. While the project's operational functions are suitable for the site, its visual and spatial relationship with nearby neighborhoods could be improved through additional buffering or architectural mitigation measures. Further evaluation of building height, massing, and visual impact is provided in the Architectural Elevations and Visual Impact Analysis sections of this report.

- **Sec. 3.2.3(H) Neighborhood Safety, Livability, and Stability.** *Consideration shall be given to the effect a development will have on the safety, livability, and stability of surrounding neighborhoods and residential areas.*

The project meets the technical standards of the LDR, but falls short of the broader intent of the South Federal Highway Redevelopment Plan, which emphasizes transitional design and neighborhood comfort along the residential edges of the corridor. The area immediately east of the site consists of established single-family homes situated at a lower elevation, making them particularly sensitive to changes in scale, lighting, and visual exposure. The three-level parking structure introduces mass and illumination that may diminish privacy and alter the visual character of the adjoining neighborhood. Strengthening the eastern interface through landscape layering, façade modulation, and enhanced screening would help restore the intended balance between corridor redevelopment and neighborhood livability envisioned by the adopted plan.

- **Sec. 3.2.3(I) Traffic and Accident Potential.** *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.*

While no new high-accident locations are anticipated and the traffic performance standards have been deemed acceptable, due to the overall increase of square footage and inventory parking, the increase of traffic related to the dealership's expansion may exacerbate existing conditions on South Federal Highway.

- **Sec. 3.2.3(L) Energy Efficiency.** *Development shall meet the intent of CSR 5, Energy Efficiency and Diverse Energy Mix, and where applicable, the requirements of LDR Section 7.11.1, Green Building Regulations.*

The proposed development is subject to the requirement of LDR Section 7.11.1, and must demonstrate compliance with the intent of Comprehensive Plan Policy CSR 5. Certification of green building compliance is required and should be secured during the building permit process. An analysis of the project's energy efficiency measures is included in a later section of this report.

## Comprehensive Plan Consistency

### Neighborhoods, Districts, & Corridors Element

Objective 2.5 Automotive Dealerships *Recognize that automotive dealers and auto-related uses are local legacy industries with unique impacts that require appropriate and strategic locations.*

Policy NDC 2.5.1 *Accommodate automotive dealerships and auto-related uses on land with a General Commercial land use designation, zoned Automotive Commercial, and located: ... south of Linton Boulevard, between South Federal and Dixie Highways, south of Linton Boulevard, between South Federal and Dixie Highways,*

Policy NDC 2.7.10 *Evaluate and update the Lindell/Federal Highway Redevelopment Plan, which was adopted in 2000 and reassessed in 2012 with the South Federal Highway Redevelopment Plan, to identify and other improvements that have occurred since the Plan's adoption, and reassess the Plan's vision for the area; new improvements and development shall comply with the provisions of the adopted Plan until an updated plan is adopted.*

### Economic Prosperity Element

Policy ECP 6.3.6 *Continue to provide specific and appropriate locations for the automotive dealership cluster.*

A review of the Comprehensive Plan identified several relevant objectives and policies, including Objective 2.5, Policy NDC 2.5.1 and Policy NDC 2.7.10, which encourage the strategic location of automotive dealerships in designated areas, specifically south of Linton Boulevard between South Federal and Dixie Highways. Policy ECP 6.3.6 further supports the clustering of automotive dealerships in specific areas. While the project aligns with these broader policies, compliance with LDR Section 3.2.3 standards must also be considered in determining overall consistency with the Comprehensive Plan.

Policy NDC 2.7.10 states that new improvements and development must comply with the provisions within the adopted South Federal Redevelopment Plan. The South Federal Highway Redevelopment Plan was formally adopted by the Delray Beach City Commission on September 20, 2012, following a structured public process that included a community workshop and formal review by the Planning and Zoning Board. As an adopted planning document, the Plan establishes policy direction and urban design standards for all development and redevelopment within the South Federal Highway corridor. Under Section 163.3177(6)(a), Florida Statutes, neighborhood and area-specific plans that are adopted by a local government become official components of the city's planning framework. These plans are intended to guide the form, orientation, and compatibility of development within defined geographic areas. Once adopted, they are binding policy documents that supplement the Comprehensive Plan and inform the application of land development regulations. Under Section 163.3194(1)(a), Florida Statutes, all development approvals must be consistent with the adopted Comprehensive Plan, which includes formally adopted neighborhood and corridor plans.

The primary intent of the Redevelopment Plan was to deal with land use issues and sustainability. However, to increase the comfort level of the adjacent neighborhoods and ensure compatibility, the Plan was expanded to include a number of buffering and setback provisions, as well as a limitation on maximum tenant size. The South Federal Highway Redevelopment Plan contains explicit urban design strategies, including requirements for building orientation, site layout, screening, and transitions to adjacent residential uses. These provisions directly support the objectives of the Comprehensive Plan, including Policy NDC 1.1.5 and Policy NDC 2.5.1, which promote compatibility and context-sensitive site design.

The applicable standards within the South Federal Redevelopment Plan are as follows:

**Setbacks to Mitigate Building Mass:** *Façade and exterior walls must be designed to include projections and recessions, so as to reduce the massive scale and uniform appearance of large buildings. On the east side of South Federal Highway, the following setbacks will be required when the rear of a commercially zoned property is adjacent to a residential zoning district:*

*For buildings greater than 300 wide, as measured along the rear property line adjacent to the residential district, the minimum rear building setback is 25 feet for buildings up to 25 feet in height and at least 70% of the building must be setback a minimum of 50 feet. For buildings greater than 25 feet in height, the minimum building setback is 50 feet and at least 70% of the building must be setback a minimum of 75 feet.*

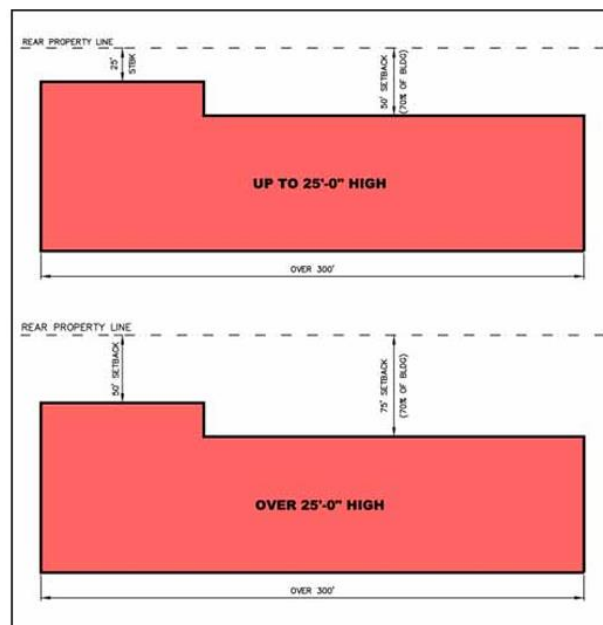


Figure 3.20 – Setbacks for Buildings over 300' wide on East side of Federal Highway





The structure is greater than 25 feet in height, so the minimum building setback is 50 feet and at least 70% of the building must meet a minimum setback of 75 feet. The proposal rear minimum setback is 60.17 feet, specifically where the stairwells extend, and majority of the building is setback 68.25 feet. The residential neighborhood to the rear is separated with a 50-foot public right-of-way.

The Board must consider if the proposed setback and the adjacent public right-of-way is adequate distance from the adjacent residential properties, and if the minimal projections and recessions are sufficient to reduce the massive scale and uniform appearance of the large parking garage structure.

**Landscape Buffers:** On the east side of South Federal Highway, a landscape buffer, which includes canopy trees, is required for all sites that adjoin residential uses or zoning districts. In order to more effectively screen the commercial development, shade trees with a minimum height of 18 feet and a spread of 8 feet at the time of planting shall be used. The landscape buffer shall be 25 feet in depth, and shall include a wall placed 10 feet from the rear or side property line when abutting an adjacent right-of-way, trees spaced on 25-foot centers and a hedge planted outside of the wall. An additional row of trees on 25' centers shall also be placed inside of the wall.

This buffer requirement may be reduced or modified by the Site Plan Review and Appearance Board for small parcels or where buffers already exist on adjacent properties, upon a finding by the Board that compliance would result in a substantial and unreasonable hardship, and that a finding of compatibility can be made.

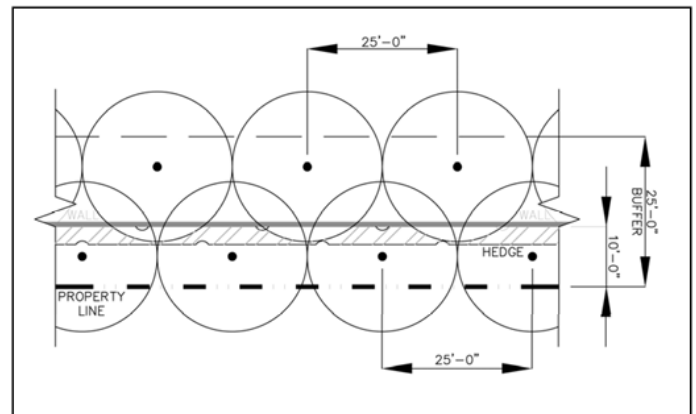
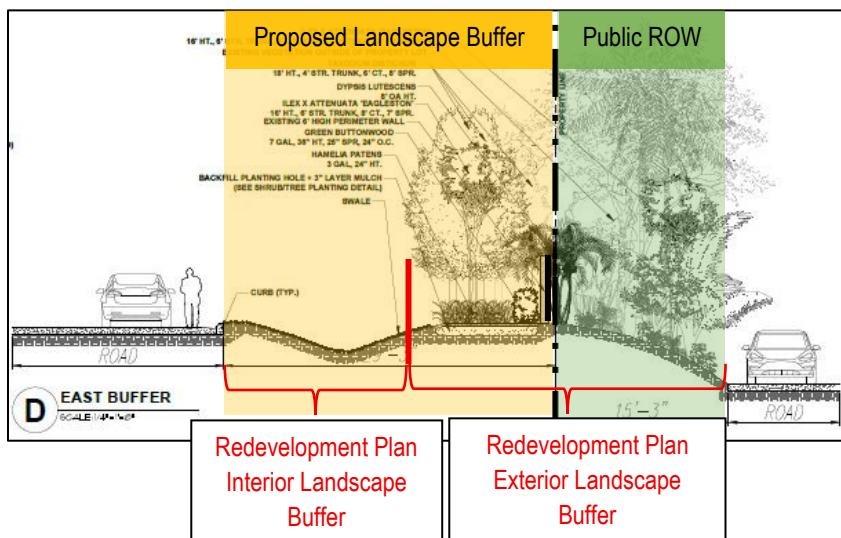


Figure 3.21 – Landscape Buffer Detail - Commercial Property separated from Residential by Street or Alley



This buffer standard applies specifically to residential properties separated by a street or ally; therefore, the Redevelopment Plan intention is to buffer the residential properties with 10 feet of landscaping plus the separation from the public right-of way including any existing landscape, resulting in a more robust buffer. The project proposes new trees west of the property line with 25-foot spacing, as well as additional trees within the public right-of-way to comply with the 25-foot spacing.



The applicant does not intend to comply with this recommended landscape standard in the Redevelopment Plan, and is requesting relief from LDR Section 4.6.5(F) to maintain an existing wall on the property line instead of the required 2-foot setback (image at right). Further analysis of the wall setback relief is provided in this report.



While the proposed landscape plan includes new trees and utilizes existing vegetation within the public right-of-way, the overall buffering treatment along the eastern edge requires careful consideration. The Redevelopment Plan envisions a stronger landscaped transition to preserve the comfort and privacy of adjacent residential areas. Ensuring an appropriate balance between functional site design and neighborhood sensitivity will be essential to maintaining the character and long-term stability of the corridor. The Board must consider if utilizing solely the public right-of-way landscaping is sufficient buffering for the adjacent residential community and whether the combination of on-site and right-of-way landscaping achieves this balance and remains consistent with the intent of the South Federal Highway Redevelopment Plan.

**Summary:** Although the standards of the Redevelopment Plan were not codified into the LDR, the Comprehensive Plan states that new developments and improvements must comply with the provisions set forth in the Redevelopment Plan. The standards were adopted with consideration to the effects of the automotive industry use on the adjacent residential communities. A design devoid of these required criteria may not adequately address the effects of the automotive use on the safety, livability, and stability of surrounding neighborhoods and residential areas.

**(D) Compliance with the LDRs** *Whenever an item is identified elsewhere in these Land Development Regulations (LDRs), it shall specifically be addressed by the body taking final action on a land development application/request. Such items are found in Section 2.4.10 and in special regulation portions of individual zoning district regulations.*

#### LDR Section 4.3.4(K), Development Standards Matrix

The proposed development complies with the development standards for the AC zoning district.

Standard/Regulation	Review	
Height	Maximum 48 feet	<b>Proposed</b> Finished Floor: 41 feet, 10 inches – 44 feet Top of Parapet: 45 feet, 10 inches – 48 feet Top of Stair Tower: 53 feet, 10 inches – 56 feet*  *Exception types that are "Subject to Action by the Approving Body" in Table 4.3.4(J)(3), require board action by the approving body
Setback	Required Front: 15 feet Side Street: 15 feet Side Interior: 10 feet Rear: 10 feet	<b>Proposed</b> Front: 69.03 feet (West) Side Interior: 54.70 feet (North), 55.26 feet (South) Rear: 60.17 feet (East)





#### **LDR Section 4.4.10, Automotive Commercial (AC) District**

The following are supplemental district regulations applicable to the proposed Site Plan modifications:

##### **(G)(1), Outside Display**

- (a) *Such areas must be separated from all adjacent streets, asphalt, or vehicular use areas by a hedge or berm at least three feet high and trees planted at least 40 feet on center. However, the hedge may be planted at such a location that at least 24 inches of the hedge is above the finished grade of the adjacent parking area.*
- (c) *The depth of the landscape strip between the car display and the ultimate right-of-way shall be as provided in Section 4.3.4(H)(6), with the following exceptions.*
  - (1) *Lots with a depth greater than 250 feet. As an alternative to the special landscape setback requirements in Section 4.3.4(H)(6), the outdoor display area may be allowed to encroach into the required landscaped setback up to 50 percent, so as to form a scalloped effect. However, the total amount of green space required along the right-of-way may not be reduced. In no case may the car display area encroach closer than ten feet to the ultimate right-of-way.*
  - (2) *Other exceptions. Further, the approving body may waive or reduce the special landscape setback provision on existing sites or for additions to existing sites where it can be demonstrated that it is not feasible to comply due to physical constraints of the property.*
- (f) *The outdoor display area shall be designed and constructed in accordance with Section 4.6.9(D). However, establishments that sell or lease at least 50 percent of their stock as compact cars may design up to 50 percent of their outdoor display area in accordance with the compact parking design criteria.*

The proposed display parking spaces are fronting South Federal Highway. The lot has a depth greater than 250 feet and the proposed development complies with the required 20-foot landscape buffer on South Federal Highway. Therefore, the display parking spaces are buffered by way of the special landscape setback as well as the required shrubs.

##### **(G)(2), Bullpen areas.**

- (a) *Vehicles may be stored on an approved parking surface without reference to parking stalls, stall striping, or wheel stops. This type of parking, called bullpen parking shall be allowed only pursuant to a site plan which is prepared and approved based upon the following:*
  - 1. *Wherever reasonably possible as determined by the approving body, bullpen areas shall be separated from a street by an outdoor display area, customer or employee parking area, or a building. Where not possible, the landscaping and separation requirements of Subsection (G)(1)(b) shall apply.*
  - 2. *Landscaping strips and landscaped islands internal to the bullpen parking area are not required; however, the ten percent interior landscaping requirement shall be met by transferring the required landscaping to the perimeter of the site and/or bullpen area. The transferred landscaped areas shall be designed and located to mitigate and buffer the impact of the aggregated car storage area.*
- (b) *Bullpen parking shall not be counted toward the parking requirements in Section 4.6.9.*
- (c) *A bullpen parking arrangement may be used for an employee parking area provided that it complies with Subsection (G)(2)(a) and is in conjunction with a full-service new car automobile dealership. Employee parking provided in a bullpen arrangement may count toward meeting employee parking requirements.*

Pursuant to LDR 4.4.10(G)(2), the proposed bullpen parking within the parking garage complies with the regulations for bullpen areas. According to Subsection (a), vehicles in bullpen areas may store vehicles without reference to parking stalls, stall striping or wheel stops, which is reflected in the design of the proposed inventory parking spaces. These bullpen spaces are not included in the required parking calculations, consistent with Subsection (b), which specifies that bullpen parking shall not count toward the parking requirements of Section 4.6.9.

##### **(G)(3), Customer and employee parking areas.** *Customer and employee parking areas shall be provided in accordance with Section 4.6.9(C)(3)(f).*

Customer and employee parking are included in the proposed parking breakdown and are in compliance with the LDR. Further review of the required and proposed parking calculations discussed in the analysis of LDR Section 4.6.9.

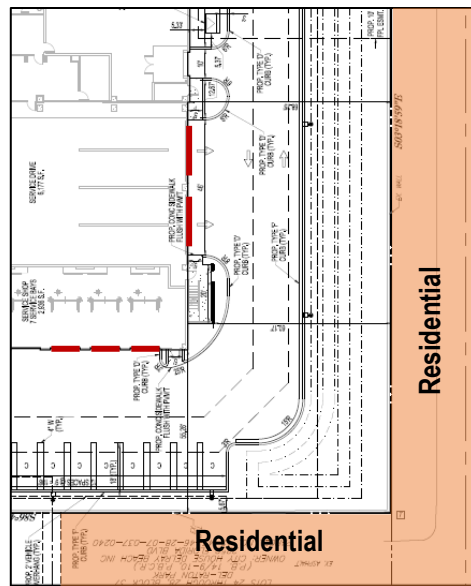


**(G)(4), Locational restrictions.**

- (a) *Repair facilities and paint and body shops shall be located at least 100 feet from any residentially-zoned property. Service bay doors shall not be oriented toward any adjacent residentially-zoned property, except where currently existing, nor oriented toward any adjacent public street unless it can be demonstrated to the approving body that it is not feasible to comply.*

The proposed design includes service bay doors on the west, east and south façades. The bay doors located on the east and south sides are oriented towards the adjacent residentially-zoned (RM) property, while two service doors face South Federal Highway. The service bay doors comply with the distance separation requirement for repair facilities. According to the applicant, the doors fronting South Federal Highway and the residential use to the east are restricted to the drop-off of customer vehicles for service; and are not intended for active repair operations.

The approving body must determine whether the proposed orientation is appropriate, due to the site constraints and proposed operations, and whether sufficient buffering and screening measures are provided to minimize any potential noise or visual impacts on adjacent residential properties.



**(G)(5), Use and Operating Restrictions.**

- (d) *Except for existing areas designated for off-loading, any areas designated for the off-loading of vehicles or for loading and deliveries shall be located to the rear of buildings and shall be located to contain noise on-site. These areas shall not be located closer than 100 feet from any residentially-zoned lot, and shall be appropriately designated, marked, and signed.*

LDR Section (G)(5)(d) requires that any areas designated for off-loading of vehicles or for loading and deliveries be located to the rear of buildings, contain operational noise on-site, and maintain a minimum separation of 100 feet from any residentially zoned property. These areas must also be clearly designated, marked, and signed. Two key considerations apply to the proposed development: the loading demand and the required separation from residential uses. Pursuant to LDR Section 4.6.10, the proposed dealership is required to provide three loading bays. However, the applicant has submitted a loading demand statement (included the attached project narrative) supporting a reduction in loading capacity from three bays to one, based on operational data and delivery frequency. The adequacy of this reduction depends on whether the single bay can accommodate the expected intensity of dealership operations without causing off-site congestion or circulation conflicts.

In terms of separation, the proposed off-loading area is located to the rear of the building, approximately 52 feet from the property line. The adjacent residentially zoned lots to the east are further separated by an additional 50 feet of public right-of-way along Florida Boulevard, resulting in a total buffer of roughly 102 feet. This configuration meets the minimum separation requirement of the LDR.

The Board must determine whether the proposed single loading bay is sufficient to meet the operational needs of the dealership and whether the location and design of the off-loading area adequately mitigate potential impacts related to noise, circulation, and proximity to nearby residential properties

**(G)(6), Lighting restrictions.** *Exterior lighting fixtures shall not exceed 25 feet in height; shall be directed away from adjacent properties; shall be a sharp cutoff, luminary; shall confine light to the site only; and shall not exceed when measured at ten feet inside any property line, the following illumination:*

- (a) *One hundred foot-candles within display areas.*  
(b) *Forty foot-candles within all other areas.*  
(c) *After 11:00 p.m., the illumination in display areas shall be reduced to 50 foot-candles.*

The proposed photometrics are in compliance with both LDR Section 4.4.10(G)(6) and the standards in LDR Section 4.6.8.



**LDR Section 4.4.10(H)(2), Compliance upon expansion of building area.**

*When there is not a change of use, but there is an expansion of building area and such expansion involves an increase in total floor area of 30 percent, or greater, in a cumulative amount, than that which existed as of April 14, 1987, the entire site shall be brought into compliance with the standards and supplemental regulations of this Section. If such expansion is less than 30 percent, the standards and design portions of the supplemental regulations shall apply only to that portion of the site which is adjacent to and required to be improved to comply with landscape and parking requirements made necessary by the addition. This provision for total site upgrading may be waived by the approving body in instances where because of the small size of the structure in relationship to the totality of the site, the upgrade is infeasible or impractical.*

As the proposal includes the demolition of the existing site and new construction of the dealership, the site must be brought up to compliance; this includes landscape, open space, and parking requirements.

The project has been reviewed for compliance with LDR Section 4.6.9, provided below.

**LDR Section 4.6.9, Off-Street Parking Regulations**

Standard/Regulation	Review	
<b>Off-Street Parking Regulations</b> 4.6.9(C)(3)(f)	<b>Required:</b> 4 per 1,000 sf of total gross floor area, except indoor display areas  Total Gross Area: 42,228 ft Indoor Showroom: 2,600 ft Gross Area for Parking: 39,628 sf <b>Required: 159 spaces</b>	<b>Proposed:</b> <b>Total:</b> 161 spaces <b>Bullpen Inventory Parking:</b> 273 spaces (not included in required total)
	<b>Of the Required Spaces</b> 1.5 per service bay for service use  Service Bays: 32 bays <b>Required Service Parking: 48 spaces</b>  2 per 1,000 sf of gross floor area (less indoor display area) for employee and customer use  Gross Area: 39,628 sf <b>Required Employee/Customer Parking: 80 spaces</b>	<b>Proposed:</b> <b>Service Parking:</b> 48 spaces <b>Employee/Customer Parking:</b> 82 spaces <b>Remaining Display:</b> 31 spaces
<b>Bicycle Parking</b> 4.6.9(C)(1)(c)1.	<b>Required:</b> Type I – 1 space per 25,000 sf of total floor area = 6 spaces Type II/Shower – 2 + 2 per 50,000 sf of total floor area = 8 spaces and showers	<b>Proposed:</b> Type I = 6 spaces Type II/Shower = 8 spaces and 1 shower (Waiver)

The applicant has requested two waivers; the requests are analyzed below.





## Waiver Analysis: Bicycle Showers

**LDR Section 4.6.9(C)(1)(c)5.** *If required, showers and Type II bicycle parking shall be co-located in a building and provided in a safe, access restricted area or otherwise not accessible to the public at large. Design shall consider crime prevention as a part of design. Specifications for these facilities shall be included within the site plan.*

The waiver request is subject to the following findings:

### **LDR Section 2.4.11(B)(5), Waiver: Findings**

*Prior to granting a waiver, the granting body shall make findings that granting of a waiver:*

- Shall not adversely affect the neighboring area;*
- Shall not significantly diminish the provision of public facilities;*
- Shall not create an unsafe situation; and*
- 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.*

Pursuant to Table 4.6.9(C)-1, automotive sales are required to provide 6 Type I bicycle spaces or 1 space per 25,000 square feet of combined parking and floor area, 2 Type II bicycle spaces per 50,000 square feet of combined parking and floor area plus an additional 2 spaces. The same calculation used for Type II spaces applies for showers.

The total square footage, 143,672 square feet, requires eight Type II bicycle spaces and showers. The applicant has submitted a waiver request seeking relief from the eight-shower requirement to provide one shower, citing minimal anticipated demand for shower facilities by employees or customers engaged in automotive sales activities. According to the applicant's justification, Kia has deemed it is highly unlikely employees will bicycle to work on the Federal Highway corridor or utilize showers.

The Planning and Zoning Board must consider whether granting the waiver aligns with the broader goals of the Land Development Regulations, which aim to support alternative transportation options and sustainability. The Board should evaluate if the justification provided by the applicant sufficiently considers the potentially diverse composition of the workforce, and if something particular to the operational realities of an automotive dealership warrants the granting of the waiver. Further, the Board should consider if granting a large employer a waiver from the LDR requirement negatively impacts the development of multi-modal infrastructure.

## Waiver Analysis: Wall Setback

### **LDR Section 4.6.5(F), Setbacks:**

*Fences and walls which are required to be landscaped shall be set back a minimum of two feet from the property line to provide adequate area for vegetation to mature. Additional restrictions with respect to setbacks are provided in Section 4.6.16(3)(a).*

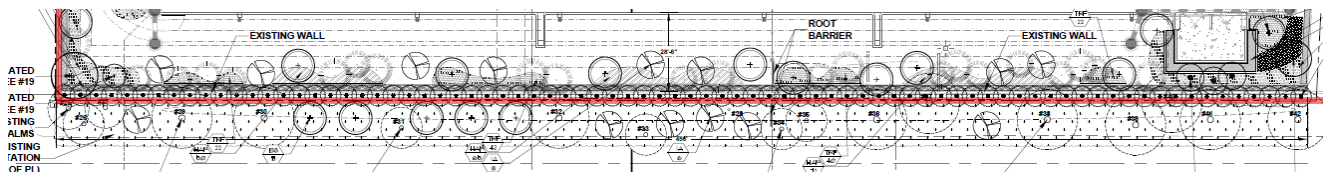
The waiver request is subject to the following findings:

### **LDR Section 2.4.11(B)(5), Waiver: Findings**

*Prior to granting a waiver, the granting body shall make findings that granting of a waiver:*

- Shall not adversely affect the neighboring area;*
- Shall not significantly diminish the provision of public facilities;*
- Shall not create an unsafe situation; and*
- 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 site contains an existing wall located directly on the property line, adjacent to the residential area. However, pursuant to LDR Section 4.6.5(F), walls are required to be set back a minimum of two feet from the property line to provide adequate area for vegetation. As the proposal consists of a full demo and new construction, all applicable regulations must be met for the entirety of the site. The applicant has requested relief to maintain the existing wall setback.



The proposal utilizes the existing foliage on the public right-of-way to screen the wall, rather than the required two-foot landscape strip. The Planning and Zoning Board must consider whether the additional landscaping buffer is necessary to provide adequate screening for the adjacent residential communities, or if the existing vegetation provides an appropriate amount of screening and it is better to maintain the existing landscaping than remove and replace.

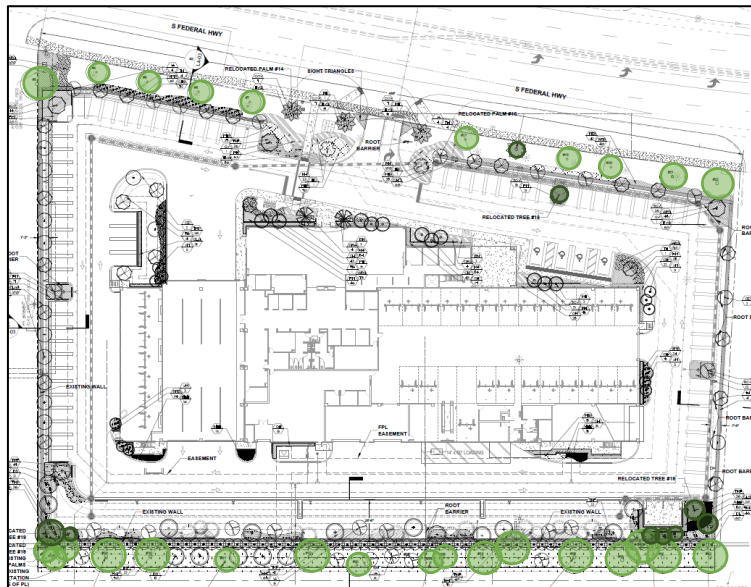
## Review and Analysis: Landscape Plan

### LDR Section 2.4.10(A)(3)(c), Findings

*Landscape Plans, including modifications to existing landscaping, shall be consistent with Section 4.6.16, Landscape Regulations.*

A technical review of this site plan has been performed, and a determination has been made that the project substantially complies with all applicable landscape regulations including the open space requirements highlighted in LDR Section 4.3.4(K).

The proposal includes the removal of three Christmas Palms, a Carrotwood (invasive tree, not counted toward mitigation), and a Royal Palm; the removed trees meet the mitigation standards pursuant to LDR Section 4.6.19, with replacement on a one-to-one basis for the four palms. The proposal will preserve 24 trees (shown in light green, at right), and relocate nine trees on site (shown in dark green, at right). The full arborist report is attached.



The proposal also includes new trees, shrubs and groundcovers along the building and the north and south property lines. The perimeter and interior landscaping, including but not limited to landscape islands, special landscape setback, tree and shrub species and height, groundcover, and open space, have been reviewed and are deemed compliance to LDR Section 4.6.16. The proposed landscape buffer to the rear is in compliance to LDR Section 4.6.16(H)(3)(d), and a 25-foot buffer is provided; however, the location and design of the buffer does not align with the Redevelopment Plan, as discussed earlier. The Board must determine if compliance with the LDR Landscaping is sufficient or if a rearrangement of the buffer aligning with the Redevelopment Plan is necessary.

## Review and Analysis: Architectural Elevations

### LDR Section 2.4.10(A)(3)(c), Findings

*Architectural Elevations, including modifications to existing building facades, require an overall determination of consistency with the objectives and standards of Section 4.6.18, Architectural Elevations and Aesthetics, and any adopted architectural design guidelines and standards, as applicable.*

#### (A) Minimum requirements.

- (1) *The requirements contained in this Section are minimum aesthetic standards for all site development, buildings, structures, or alterations except for single family development.*
- (2) *It is required that all site development, structures, buildings, or alterations to same, show proper design concepts, express honest design construction, and be appropriate to surroundings.*



Pursuant to LDR Section 2.4.10(A)(3)(c), architectural elevations are required to be reviewed for consistency with the objectives and standards of LDR Section 4.6.18, *Architectural Elevations and Aesthetics*. These standards establish minimum aesthetic requirements for all new development and mandate that design concepts be properly expressed, construction methods be honest, and that the overall appearance of a project be appropriate to its surroundings.

## Massing, Scale, and Height



The proposed development consists of a two-story showroom and service facility fronting South Federal Highway, integrated with a three-level structured parking garage at the rear of the site. The finished roof surface of the primary building is approximately 44 feet, with parapets extending to the maximum allowed 48 feet within the AC district. Stair tower enclosures extend between 53 and 56 feet and therefore require approval of a height exception pursuant to LDR Table 4.3.4(J)(3). While the exception is procedurally permissible, the Board must determine whether the additional height is compatible with the surrounding corridor and adjacent residential areas.

The Visual Impact Analysis demonstrates that the overall building mass, particularly the garage component, presents a continuous horizontal volume with limited articulation or recesses to mitigate scale. From South Federal Highway the structure contributes to a uniform linear street wall, while from Florida Boulevard and the adjacent medium density residential zoning district to the east, the parking deck elevations appear monolithic and imposing. This condition raises questions of compatibility with LDR Section 4.6.18(B)(1) through (3), which require harmony of form, texture, and scale, and avoidance of massive or inharmonious façades.

### **Façade Composition and Materials**

The proposed façade composition is limited to variations of grey, with a medium grey applied to the base, light grey covering the parking structure, and darker grey accents limited to stair towers, service areas, and dealership entries. The material palette relies heavily on aluminum composite panels, exterior insulation and finish system cladding, painted surfaces, and expanses of curtain wall glazing. The clear glazing at the showroom frontage provides transparency and an appropriate level of visibility for sales functions along South Federal Highway, which satisfies the intent of LDR Section 4.6.18(B)(3) by expressing honest material use and reinforcing the building's commercial identity at the corridor edge.

Beyond the showroom frontage, however, the design weakens. The parking garage elevations are composed of broad, uninterrupted planes clad in exterior insulation and finish system and aluminum composite panels, with minimal use of articulation, or fenestration to break down the mass. This treatment creates a uniform appearance, particularly on the east elevation where the building faces a residential district across Florida Boulevard. The lack of modulation or layered materials fails to soften the scale of the garage and diminishes the opportunity for architectural interest.

The heavy reliance on exterior insulation and finish system cladding raises additional concerns about long-term durability and maintenance, especially in a coastal climate where stucco-like finishes often show staining, cracking, and weathering. In this context, the choice of exterior insulation and finish system at such a large scale and in such a uniform application risks rapid visual deterioration, undermining the intent of LDR Section 4.6.18(B)(2) and (B)(3), which require the use of materials that are appropriate, clearly expressed, and harmonious with the surroundings.

The monochromatic palette, although contemporary, lacks the variation necessary to provide depth, shadow, and contrast that could mitigate the perception of mass. Instead, it emphasizes the utilitarian character of the garage structure. The Visual Impact Analysis confirms this outcome by demonstrating a continuous, block-like form with limited distinction between functional components of the building. This design approach does not fully satisfy the standards of LDR Section 4.6.18(E)(1) through (3), which require good design, protection of neighborhood character, and harmony with the evolving environment.



### **Context and Compatibility**

South Federal Highway is a corridor characterized by a concentration of automobile dealerships and other large format commercial uses. The proposed Kia dealership is functionally consistent with this legacy character and aligns with policies encouraging clustering of auto oriented uses. However, the corridor is also designated within the South Federal Highway Redevelopment Plan, which emphasizes the need for redevelopment projects to mitigate visual impact, reduce bulk through articulation, and enhance compatibility with adjacent neighborhoods.

The east side of the site abuts medium density residential zoning, separated by Florida Boulevard. While the project provides a 25-foot landscape buffer, an existing wall, and additional separation by right of way, the sheer scale of the parking garage and the lack of architectural breaks result in an elevation that remains visually imposing to the residential context. The Redevelopment Plan standards call for projections, recessions, and enhanced buffering to minimize impacts from large automotive structures. The submitted elevations





provide only limited response to those standards. The Board should consider whether the proposed east elevation adequately addresses the Redevelopment Plan's intent to protect livability and stability of adjacent neighborhoods.

### **Lighting and Nighttime Appearance**

The applicant has indicated compliance with LDR Section 4.4.10(G)(6) and Section 4.6.8 regarding lighting. Fixtures are to be shielded and directed away from adjacent properties, reducing glare. While these standards address technical compliance, LDR Section 4.6.18(B)(7) further requires that exterior lighting be used in an aesthetic manner. The Board should ensure that illumination does not disproportionately emphasize the parking garage structure or create conditions that detract from the residential character to the east.

### **Roofline and Screening**

The project incorporates parapet walls and mechanical screens that conceal rooftop equipment, consistent with LDR Section 4.6.18(B)(14) and (15). The stair towers, however, while functional, are prominent vertical features and contribute significantly to the perception of bulk. The Board should assess whether the current design treatment is sufficiently integrated into the overall composition or whether additional architectural measures such as material variation, fenestration, or modulation are needed to reduce their visual dominance.

### **LDR Section 4.3.4(J)(3)(b), Height exceptions subject to action by the approving body.**

*Exception types that are "Subject to Action by the Approving Body" in Table 4.3.4(J)(3), require board action by the approving body and are subject to the following procedure:*

- 1. Documentation supporting the requested height exception must be provided, such as, but not limited to, massing study, line of sight diagrams, architectural proportion analysis, or roof area calculations, and justification statement addressing the necessity of the request and the criteria for board action in Section 4.6.18(E).*
- 2. The approving body shall make findings that the granting of the height exception meets the standards in Section 4.6.18(E), and Section 4.5.1(E), as applicable.*

**LDR Section 4.6.18(E), Criteria for board action.** *The following criteria shall be considered, by the Site Plan Review and Appearance Board or Historic Preservation Board, in the review of plans for building permits. 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 dealership has a finished roof surface at a maximum of 44 feet with a parapet at 48 feet, complying with the maximum height within the AC Zoning District. Pursuant to LDR Table 4.3.4(J)(3), stair towers are an exception to the maximum height and may exceed the maximum height by 8 feet. The stair tower height exception requires board action by the approving body. The applicant has provided a justification statement and a visual impact study. The Board should consider if the requested height exception is appropriate for the surrounding area and if the architectural massing is in good taste and design

Staff has reviewed the architectural elevations in light of LDR Section 4.6.18 and finds that the project achieves transparency and articulation along the showroom frontage, creating an appropriate presence on South Federal Highway. However, the parking garage presents a large, monotone façade with limited relief, and the reliance on a uniform grey palette results in a utilitarian appearance that accentuates the building's mass. The stair towers exceed the maximum permitted height and, although procedurally allowed, their prominence requires careful consideration for compatibility with the surrounding context. While the project supports the automotive character of the corridor, it does not adequately mitigate visual impacts on the adjacent residential district as envisioned in the South Federal Highway Redevelopment Plan.



In conclusion, the design partially satisfies the requirements of LDR Section 4.6.18. The Board should determine whether the applicant's visual impact analysis and justification for height exceptions demonstrate compliance with the criteria, or whether refinements such as added façade articulation, variation in materials, or enhanced landscaping are necessary to achieve a more compatible and contextually responsive development.

#### Options for Board Action

- A. Move to recommend to the City Commission **approval** of a Level 4 Site Plan Modification, with Architectural Elevations and Landscape Plan, for Kia Delray to demolish the existing building at 2255 South Federal Highway and construct a two-story dealership with a three-story parking garage to the rear, and two associated waivers to (1) reduce the required number of bicycle showers, and (2) reduce the required setback of the rear wall, by finding that the request is consistent with the Land Development Regulations and the Comprehensive Plan.
- B. Move to recommend to the City Commission **approval** of a Level 4 Site Plan Modification, with Architectural Elevations and Landscape Plan, for Kia Delray to demolish the existing building at 2255 South Federal Highway and construct a two-story dealership with a three-story parking garage to the rear, and two associated waivers to (1) reduce the required number of bicycle showers, and (2) reduce the required setback of the rear wall, **subject to conditions**, by finding that the request is consistent with the Comprehensive Plan and meets the criteria in the Land Development Regulations.
- C. Move to recommend to the City Commission **denial** of a Level 4 Site Plan Modification, with Architectural Elevations and Landscape Plan, for Kia Delray to demolish the existing building at 2255 South Federal Highway and construct a two-story dealership with a three-story parking garage to the rear, and two associated waivers to (1) reduce the required number of bicycle showers, and (2) reduce the required setback of the rear wall, by finding that the request is inconsistent with the Comprehensive Plan and does not meet the criteria in the Land Development Regulations
- D. **Continue with direction.**

#### TAC Review Timeline

Review No.	Submittal Date	TAC Comments Transmitted	Extension Approval
1	09-27-2024	11-06-2024	
EX	Extension Request	-	Approved on 01-08-2025
2	03-03-2025	04-01-2025	
3	06-03-2025	06-25-2025	
4	07-28-2025	08-22-2025	
5	09-16-2025	10-03-2025	

Total time with Applicant: **238 days**

Total time under review: **133 days**

Applicant requested a resubmittal extension on January 4, 2025 due to the complexity of the project, which was accepted, and therefore, the obligation for final action to be granted within 180 days of initial application date was waived by the Applicant.

#### Technical Notes

Compliance is required prior to Site Plan Certification:

1. Approval of Plat Exemption.

Compliance is required prior to building permit issuance:

1. Provide the grease trap calculations per the PDI (Plumbing and Drainage Institute) guidelines using a one-minute drain.