



Cover Memorandum/Staff Report

File #: 24-1456

Agenda Date: 11/19/2024

Item #: 7.A.

TO: Mayor and Commissioners
FROM: Anthea Giannotes, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: November 19, 2024

RESOLUTION NO. 216-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A LEVEL 4 SITE PLAN, ARCHITECTURAL ELEVATIONS, AND LANDSCAPE PLAN AND APPROVING A WAIVER TO SECTION 4.6.16(H)(3)(d) OF THE LAND DEVELOPMENT REGULATIONS TO REDUCE THE LANDSCAPE BARRIER WIDTH FROM THE REQUIRED 5 FEET TO 2 FEET AND 4 INCHES FOR THE PROJECT LOCATED AT 314 NE 3RD AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (QUASI JUDICIAL).

Recommended Action:

Review and consider Resolution No. 216-24, approval of a Level 4 Site Plan, Architectural Elevations, and Landscape Plan with a Landscape Waiver, to construct a mixed-use office and residential development located at 314 NE 3rd Avenue.

Background:

The property at 314 NE 3rd Avenue, located within the Central Business District (CBD) in the Central Core Sub-district, previously contained a two-story mixed-use structure built in 1954, comprising warehouse and residential components with garage access from the rear alley. In August 2023, a demolition permit was issued, and the site is now proposed for redevelopment with a mixed-use building, integrating ground-floor office space, a second-floor residential unit, rooftop terrace, and parking accessed via the service alley.

The applicant has submitted a Level 4 Site Plan application, which includes the following waiver request from the Land Development Regulations (LDR) and the request to utilize the Miami Modern architectural style, which were reviewed prior to the site plan consideration:

1. LDR Section 4.4.13(D)(2)(a)1., Front Setback: A reduction of the front setback from the required 10 feet to 6 feet, approved by the City Commission on September 16, 2024, under Resolution No. 144-24.
2. LDR Section 4.4.13(F)(3)(c), Other Architectural Styles: The application proposes utilizing the Miami Modern architectural style, which is not specified in the CBD Architectural Design Guidelines; the style was approved by the City Commission on September 16, 2024, under Resolution 145-24.

The proposed ground floor office lobby entrance is accessible via NE 3rd Avenue, and as the proposed design incorporates a zero-side setback on the 50-foot lot, lighting and ventilation is

achieved through storefront windows along the east façade and a south-facing interior courtyard. The second-floor residence is accessed from the rear and includes three bedrooms, a private garage, and an open rooftop terrace.

Additionally, to facilitate an additional parking space and two golf cart spaces, the applicant is seeking a waiver from LDR Section 4.6.16(H)(3)(d) to reduce the required five-foot landscape barrier to two feet and four inches at the rear of the property. This reduced landscape strip will feature Dahoon Holly trees and underplanting of Green Island Ficus and Cocoplum, strategically placed to avoid conflicts with overhead utility lines in the adjacent General Utility Easement.

The City Commission should evaluate whether the reduced landscape width aligns with the Comprehensive Plan and does not detrimentally impact the surrounding area. Key findings for approval under LDR Section 2.4.11(B)(5) are also required, specifically assessing that 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.
- (e) Within the CBD, the following additional findings apply:
 - 1. The waiver shall not result in an inferior pedestrian experience along a Primary Street, such as exposing parking garages or large expanses of blank walls.
 - 2. The waiver shall not allow the creation of significant incompatibilities with nearby buildings or uses of land.
 - 3. The waiver shall not erode the connectivity of the street and sidewalk network or negatively impact any adopted bicycle/pedestrian master plan.
 - 4. The waiver shall not reduce the quality of civic open spaces provided under this code.

On October 21, 2024, the Planning and Zoning Board (PZB) conducted a detailed review of the site plan and associated waiver requests for the proposed development. After thorough deliberation, the PZB voted unanimously (5-0) to recommend approval to the City Commission, underscoring several favorable findings that align with the vision for the CBD. Key points of discussion included the architectural style, scale, and design of the project, with the Board expressing support for the Miami Modern style, noting that it brings a contemporary yet fitting aesthetic to the neighborhood's evolving character. The proposed architectural elevations and landscaping were deemed contextually appropriate, contributing positively to the area's visual cohesion.

The Board also recognized the necessity of the landscape waiver request in accommodating an additional parking space and two golf cart spaces, both of which serve the building's mixed-use function and align with urban design goals to support alternative modes of transport and maximize limited lot space. Given the constraints of the 50-foot-wide parcel, the Board found that the landscaping, though reduced in width, would sufficiently enhance the buffer area, especially with the use of strategically placed trees and shrubbery to preserve a green edge and manage utility line conflicts.

The item before the City Commission is final action on the project. Commission approval of Resolution No. 216-24 for the Level 4 Site Plan, Architectural Elevations, and Landscape Plan with the waiver would constitute a determination that the application is consistent with the City's

Comprehensive Plan and adheres to the required standards of the Land Development Regulations. The attached PZB Staff Report includes a comprehensive evaluation of the proposal, providing analysis for each requested waiver and findings. This will not appear as an appealable item on a future agenda.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

N/A

Timing of Request:

Approval of the Level 4 Site Plan, Architectural Elevations, and Landscape Plan with waiver is required prior to site plan certification and submitting for building permits.