

DEVELOPMENT SERVICES DEPARTMENT

100 NW 1ST AVENUE, DELRAY BEACH, FLORIDA 33444
PLANNING & ZONING DIVISION: (561) 243-7040 • BUILDING DIVISION: (561) 243-7200

SITE PLAN REVIEW AND APPEARANCE BOARD

Meeting: January 9, 2019 File No.: 2016-097-SPF-SPR-CL5 Application Type: Class 5 Site Plan – 5th Avenue Square

General Data:

Agent: Eugen A. Jamroz, MGR
Applicant: Keith D. Chambers
Owner: 5th Avenue Holdings, LLC.
Location: 354 SE 5TH AVE
PCN: 12-43-46-21-01-104-0070
Property Size: 0.593 acres
FLUM: CC (Commercial Core)

Zoning: CBD (Central Business District – 30 du/ac)

Adjacent Zoning:

North: CBD (Central Business District)
 West: R-1-A (Single-Family Residential)
 South: CBD (Central Business District)
 East: CBD (Central Business District)

Existing Land Use: Vacant Land,

Proposed Land Use: 10-unit multi-family townhome development

Item before the Board:

The action before the Board is the approval of a Class V Site Plan application for Fifth Avenue Square pursuant to LDR Section 2.4.5 (F)(1)(a), including the following:

- ☐ Site Plan
- □ Landscape Plan
- □ Architectural Elevations





5th Avenue Square



Recommendations by Separate Motions:

Site Plan:

Move approval of the Class V Site Plan 2016-097-SPF-SPR-CL5 for **Fifth Avenue Square** 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)(1)(a) and Chapter 3 of the Land Development Regulations, subject to the following conditions of approval:

1. That the applicant provides a letter as proof from FDOT attesting that the 5'-foot extension of the property line at Lot 9 is the property owner's and that FDOT will not require Right-Of-Way dedication. However, if FDOT requests the 5'-foot dedication from Lot 9 or has determined that the area has already been dedicated, then the applicant shall amend the site plan by redesigning the four-unit building by setting the building back an additional 5'-feet for a total 10'-feet setback from the new property line along Lot 9.

*Note: If the site plan is denied, no further action shall be taken on the landscape plan or the architectural elevation plan due to potential inconsistencies.

Landscape Plan:

Move approval of the request for Landscape Plan (2016-097) for **Fifth Avenue Square** by adopting the findings of fact and law contained in the staff report and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in Sections 4.6.16 of the Land Development Regulations.

Project Planner: Scott Pape, AICP, Principal Planner; pape@mydelraybeach.com, (561) 243-7040 x7321 Review Dates: SPRAB Board: January 9, 2019

Attachments

- Site Plans
- 2. Landscape Plans
- 3. Architectural Elevations



Architectural Elevations:

Move approval of the Architectural Elevations (2016-097) for **Fifth Avenue Square**, 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.

Notes: The following must be satisfied of the site plan is approved based on the respective timing.

- 1. That the applicant provides an approved Florida Department of Transportation (FDOT) permit for the installation of the curbed landscape nodes proposed in the state-owned Right-of-Way prior to issuance of a building permit.
- 2. That the applicant provides an executed landscape maintenance agreement for the proposed plantings outside the property line prior to site plan certification.
- 3. That the applicant re-plat the property by subdividing property into individual lots for the fee-simple townhome lots and to dedicate any applicable Utility easements prior to site plan certification.
- 4. The applicant provide an updated copy of the Traffic Review response from the Palm Beach County Traffic Division, prior to issuance of a building permit.
- 5. That prior to site plan certification, a note be added to the plans specifying the light transmission reduction is not more than 20% to meet code requirements for transparent windows.
- 6. That the applicant provides composite plan signed by all the utility providers at time of building permit.
- 7. That the applicant updates the plans for the property manager building to include a minimum 80% storefront coverage on the facade in accordance with Table 4.4.13 (I), prior to site plan certification.
- 8. The applicant updates the plans to include the FDOT approved sight line visibility triangle showing no visibility obstructions prior to site plan certification.
- 9. That the applicant revises the photometric plan to reduce the foot candles to be in compliance with LDR section 4.6.8 (A)(3), Table 2, prior to site plan certification.
- 10. That the applicant provides a 6"-inch Sidewalk easement dedication along SE 5th Avenue for Pedestrian Clear Zone contingent upon City Commission acceptance of the R-O-W deed prior to building permit.
- 11. That the applicant provides a 4' Right-of-Way dedication along rear alleyway contingent upon City Commission acceptance of the R-O-W deed prior to building permit.
- 12. That the applicant updates all the renderings and visual models to reflect all the modifications to the design prior to site plan certification.
- 13. That the applicant provides drainage calculations and revise the drainage slope on the civil plans prior to site plan certification.
- 14. That applicant provide Homeowners Association (documents prior to building permit. Documents shall indicate the property maintenance procedures of the common areas.

Project Request:

The proposed project is a Class V Site Plan proposal to construct 10 three-story fee-simple luxury townhome units with associate site improvements ("Fifth Avenue Square). The proposed development is located at 354 SE 5th Avenue and is zoned Central Business District (CBD). The Fifth Avenue Square development project proposes the development of two three-story buildings with 10 total units and one single-story property manager building. One of the buildings will contain four units with a total footprint of 5,073 sf, and the other building will contain six units with a total footprint of 6,494 sf. Each dwelling unit features 4 bedrooms, a private elevator, two-car garage, a first-floor stoop, second-floor terrace, a third-floor balcony and roof top amenities, which include a fireplace, spa, seating area and landscaping. The units range in size from 2,535 to 3,135 gross square feet. The single-story property manager's office building will feature a roof top swimming pool with stair and elevator access. The project also includes civic open spaces fronting SE 5th Avenue totaling 565 sf that feature public seating areas, bike racks, landscaping and a water fountain. The overall site will be fully landscaped and incorporate sand base pavers.

Background:

The subject property is 0.58-acre vacant site located at 354 SE 5th Avenue situated on the West side of SE 5 Avenue, North of SE 4th Street. The Property Control Number (PCN) for the site is 12-43-46-21-01-104-0070 according to the Palm Beach County Property Appraiser. The property is zoned Central Business District (CBD) within the Central Core Sub-District and has a Future Land Use Map designation of Commercial Core (CC). The property is owned by 5th Avenue Square Holdings, LLC (Property Owner).

The site is composed of lots 7,8,9, and 10 of block 10, of the Osceola Park neighborhood according Palm Beach County Plat Book 3, page 2, recorded by Deed unifying the properties together to create the subject site. Prior to the compilation of the parcels,

lots 7, 8 and 9 contained single-story buildings which has commercial/office use. On September 29, 2015, the single-story buildings were all demolished and site has remained vacant since then.

On January 26, 2016, the City of Delray Beach Development Services Department received a Class V Site Plan application for a proposed 3-Story, 10-unit townhome development at the subject site.

Review and Approval Procedures:

- Pursuant to LDR Section 4.4.13(A), Purpose and intent for the CBD, The Central Business District (CBD) Zone District
 is established in order to preserve and protect the cultural and historic aspects of downtown Delray Beach and
 simultaneously provide for the stimulation and enhancement of the vitality and economic growth of this special area.
- Pursuant to LDR Section 4.413(A)(1), The Central Core Sub-District, regulations are intended to result in development that preserves the downtown's historic moderate scale, while promoting a balanced mix of uses that will help the area evolve into a traditional, self-sufficient downtown. Residential development is permitted at higher densities in this area than any other part of the city, in order to foster compact, pedestrian oriented growth that will support downtown businesses.
- Pursuant to LDR Section 4.4.19 (K)(2), SPRAB review and approval process, for any new development requiring approval under Sections 2.4.5(F) Class V Site Plan, 2.45(H) Landscape Plans, or 2.4.5(I) Architectural Elevations, approval must be granted by the Site Plan Review and Appearance Board (SPRAB), unless the property is located within a designated historic district or is individually designated.
 - ✓ The follow site plan analysis demonstrates compliance with the applicable Land Development Regulations for site plan review.

Site Plan Analysis:

Compliance With The Land Development Regulations:

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

Central Business District (CBD)

Central Core Sub-District:

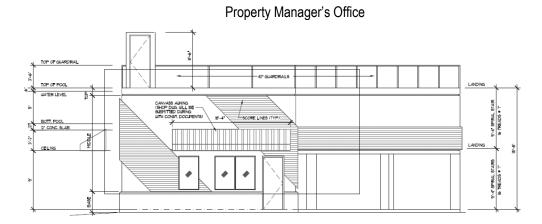
- Pursuant to LDR Section 4.4.13 (A)(1), The regulations are intended to result in development that preserves the downtown's historic moderate scale, while promoting a balanced mix of uses that will help the area evolve into a traditional, self-sufficient downtown. Residential development is permitted at higher densities in this area than any other part of the city, to foster compact, pedestrian oriented growth that will support downtown businesses.
 - ✓ The proposed development is for the construction of two 3-story buildings with a total of 10 townhome units within the CBD Central Core Sub-District. The development is proposing residential homes as the primary use and a property manager building as the accessory secondary use. Even though the proposed development is predominately a single use (residential), it is consistent with the adjacent multi-family and single-family residential buildings to the North and South, respectively, and is therefore considered as continuing the existing residential fabric of this area of the CBD specifically. Although the property is permitted to yield up to 30 du/ac, the plans propose 17 du/ac. Therefore, as proposed, the site plan application meets this requirement.
- Pursuant to LDR Section 4.4.13 (D)(1)5. First Floor Height, the ground story of residential buildings shall be a minimum of ten feet tall.
 - ✓ The plans show 10' in height for the ground floor of the residential buildings, thus, complying with this requirement.
- Pursuant to LDR Section 4.4.13 (D)(1)(a) 6., Story Heights, each story above the ground story in all buildings must be
 at least nine feet tall.



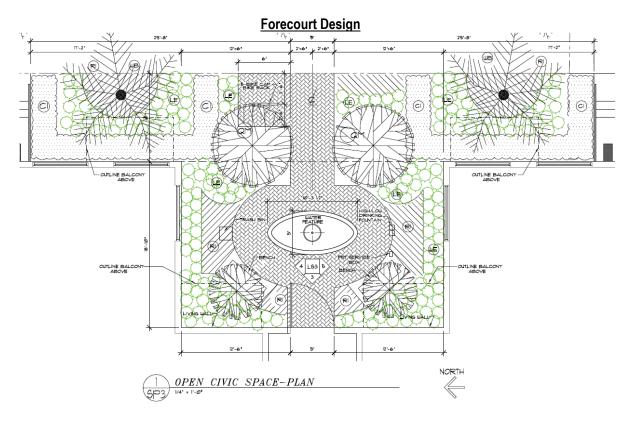
- ✓ The plans show 11' for the second and third floors, thus complying with this requirement.
- Pursuant to LDR Section 4.4.13 (D)(1)(a)9. Elevation above sidewalk, within the Central Core, Railroad Corridor, and Beach Sub-districts, residential units must have the floor of the first habitable story elevated at least 18 inches above the adjacent sidewalk
 - ✓ As shown on page SP, the plans show an approximate 20" elevation above the adjacent sidewalk to start the first habitable story, thus, complying with this requirement.
- Pursuant to LDR Section 4.4.13 (D)(1)(b)2., No side setback, side setbacks are required only when an abutting a residential zoning district or a property with a building existing as of the effective date of this ordinance [date] with windows facing the adjoining lot line. Then, new development shall setback to provide at least ten feet of separation between the existing and new buildings.
 - The plans show that the proposed buildings are separated by the at least ten feet from the existing adjacent buildings to the North and South. Furthermore, the plans show that the façade of the proposed buildings facing the adjacent existing buildings do not have windows. Thus, this requirement has been met.
- Pursuant to LDR Section 4.4.13 (D)(2)(a)4., Where the rear or side of a property directly abuts a residential zoning district with a height limitation of 35 feet without any subsection or separation between them of 30 feet or more, such as a street, alley, railroad, waterway, park, or other public open space; the following shall apply. (b) At the top of the third story, minimum side and rear building setbacks of 30 feet shall be provided from the property line for the portion of the building that is over three stories in height.
 - ✓ The proposed development is separated from the residential zoning district to the West by a proposed 20' alleyway. It is noted that this requirement does not apply to the proposed three-story building.
- Pursuant to LDR Section 4.4.13(E)(2)(a)1-3., Streetscape standards. The combination of public sidewalk (located within the right-of-way) and hardscape (located in front setback areas) shall provide a minimum streetscape area no less than 15 feet in width, measured from the back of curb.
 - In accordance with this LDR section, new developments are required to provide a 15' foot streetscape area that includes a <u>Curb Zone</u> (at least 4' wide), <u>Pedestrian Clear Zone</u> (at least 6' wide) with any <u>remaining front setback</u> area used for ground story design. The plans show an 8' wide curb zone, a 6' wide pedestrian zone, and a 10' wide front setback area used for the building stoop (see detail below). As proposed, the required curb zone is proposed to be provided in the new landscaping/on street parking area along SE 5th Avenue, to maintain uniform consistency with the remainder of the corridor. Furthermore, as referenced in the notes section of the report, the applicant will be required to provide a 6" sidewalk easement to achieve a 6' wide pedestrian clear zone. It is important to note that the applicant would be required to obtain an FDOT permits and utility provider approvals for construction and relocation of utilities in the public R-O-W prior to building permit.
- Pursuant to LDR Section 4.4.13(E)(4)(b), Stoop Design, A stoop is a small staircase leading to the entrance of a building that may be covered. The elevation of the stoop is necessary to ensure privacy for residential uses in the ground story of buildings. Stoops should provide sufficient space for a person to comfortably pause before entering or after exiting the building.
 - The proposed townhomes as designed are providing stoops within the 10' front setback of the building façade in accordance with LDR Table 4.4.13 (D). The stoops as designed are 9'-9.5" in width, 5' in depth, and a 1'-2" floor elevation in accordance with LDR Table 4.4.13 (F), thus complying with this requirement.
- Pursuant to LDR Section 4.4.13 (E)(4)(e), Storefront Design, the storefront is a frontage type along sidewalk level of the ground story, typically associated with commercial uses. Storefronts are frequently shaded by awnings or arcades. Storefronts shall be directly accessible from sidewalks; storefront doors may be recessed up to ten feet.
 - The proposed property manager building on site is designed with a storefront within the 10' front setback of building façade in accordance with LDR Table 4.4.13 (I). The storefront as designed has 3' base height and an 8' glazing height, comprising 13% of the length of the façade. Furthermore, the storefront has a canvas awning, which projects 4' from the facade. As commented in the notes section of the report, the applicant would be required to redesign the façade for the property manager building to provide a minimum 80% of the length of



the façade to comply with the required storefront openings in accordance with to LDR Section 4.4.13 (E)(4)(e), table 4.4.13 (I) prior to site plan certification.



- Pursuant to LDR Section 4.4.13(E)(4)(d), Forecourt, A forecourt is an open area in front of the main building entrance(s) designed as a small garden or plaza. Low walls or balustrades no higher than three feet six inches in height may enclose the forecourt. Forecourt walls are constructed of similar material as the principal building or are composed of a continuous, maintained hedge. A forecourt may afford access to one or more first floor residential dwelling units or incorporate storefronts for commercial uses. The forecourt is suitable for outdoor seating for residents or restaurants. Forecourts are typically associated with multifamily, mixed-use, and commercial buildings.
 - The plans show a forecourt in accordance with civic open space requirements for developments within the CBD, in accordance with LDR Section (G)(2)(g). The forecourt as designed has a depth of 19' feet from the building façade, and a width of 20'. As shown on page SP3, the forecourt includes civic amenities such as a trash receptacle, park benches, pet service area, living landscape wall, drinking fountain, bike rack, and a water fountain as the center feature. Therefore, the proposed design meets this requirement.

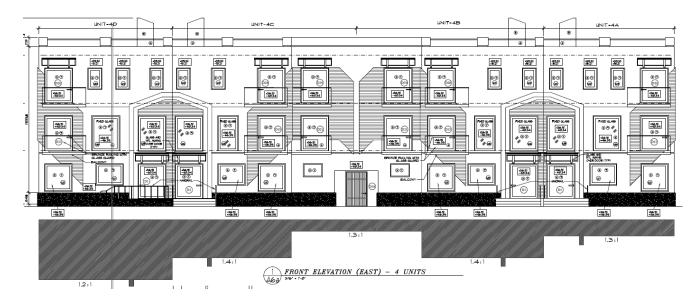


Pursuant to LDR Section 4.4.13(F)(2)(a), **Architectural Façade Articulations**, *Buildings articulations that respond to the site's unique urban condition, such as but limited to, locations on corners, near public open spaces, terminating the*



visual axis of a street, and/or that emphasize main building entries, shall be clearly expressed in the design. Building articulations in the form of a change in building height and building placement shall be incorporated so that building façade proportions do not exceed height to width ratios of 3:1 or 1:3. Building articulations shall be reinforced by changes in roof design, fenestration patterns, or architectural elements.

✓ The plans show that the proposed façade design for the 4-unit building and property manager buildings facing SE 5th Avenue that do not exceed a 3:1 or 1:3 height to width ratio; thus, complying with this comment.



- Pursuant to LDR Section 4.4.13 (F)(2)(b), Tripartite Composition, All buildings shall have a clearly expressed base, middle, and top in the façade design.
 - The architectural elevation plans and renderings show that the proposed buildings are Masonry Modern designed with Tripartite Composition. The buildings are designed with a continuous thickened band of stucco capped by stucco molding at the base. The bases of the facades are intersected by the stoops and covered with landscaping, which create a contrast in design and color. The middle area of the building is clad with varying colors of stucco and scoring designs. Furthermore, the building facades have various fenestrations which include storefronts, balconies, stoops, entryways, demising walls, forecourt area with a living landscape wall, and garage areas that stagger the appearance of the façades, creating a more dynamic appearance. The roof of the building as designed includes a rooftop patio area at the residential units and a communal pool on top of the property manager building. The rooftop design includes a glass wall screening the area, elevator area, stairwell, and seating area. Since the buildings do not exceed three-stories in height, no additional setbacks are required. As proposed, the design meets this requirement.
- Pursuant to LDR Section 4.4.13(F)(2)(c), Visual Screening, Building facades shall be designed to visually screen "Secondary Street" uses and large expanses of blank walls. Appropriate façade design to screen these uses incorporates the consistent use of materials and construction assemblies, fenestration patterns, architectural articulation, and features such as, but not limited to, the application of architectural screens, louvers, or glass. In addition, at the sidewalk level, vegetated surfaces and planters or window display shall be incorporated. Paint, faux treatments, scoring, construction joints, lighting, and material projections less than two inches are permitted, but do not fulfill the façade design requirements.
 - As proposed, the rear building façade is facing the alleyway at the rear of the property. The facades facing the alleyway will incorporate four building entrances and two garage openings. As previously mentioned, the building facades contain fenestrations, articulations, and landscaping that soften the building and improve aesthetics. The alleyway as proposed will serve as the primary entrance to the site. The alleyway separates the subject site from the single-family homes. The single-family homes are oriented away from the alleyway. As designed, no "Secondary Street" uses appear visible from the primary road (SE 5th Ave/US-1), and no large expanses of blank wall are proposed. Lastly, the floor plans indicate that the refuse and recycling containers will be located inside the garage of each residential unit. Therefore, as proposed, the design meets this requirement.



- Pursuant to LDR Section 4.4.13 (F)(6)(c), Flat Roof Screening, flat roofs shall be screened from adjacent properties and streets with decorative parapets. The maximum height of the parapet wall shall be six feet in height or sufficient height to screen all roof mounted equipment, whichever is greater, measured from the top of the roof deck to the top of the parapet wall.
 - ✓ As shown on page A8a, the plans show that flat roofs located on top of the third story of the buildings screened from adjacent properties and at the street level. In addition, the elevations on the plans show that there will be a 4' high parapet wall above the finished roof, composed of solid CMU block and gray tinted glass with handrails. Therefore, as proposed, the design meets this requirement.
- Pursuant to LDR Section 4.4.13 (F)(9), Reduction of heat Island, in order to reduce heat islands both roofed and non-roofed areas shall apply mitigating elements to their design.
 - The plans show that the development will be incorporating permeable brick pavers and Energy Star rated roofing material to reduce the heat island index. Furthermore, the landscape plans show the addition of trees and shrubs throughout the site that will also aid in reducing surface temperatures. Therefore, as proposed, the requirement has been met.

Masonry Modern Design

- The proposed development is designed using the "Masonry Modern" architectural style. Masonry Modern is an permitted architectural style in accordance with 4.4.13(F)(3)(a)6.
 - The designed as proposed conforms with the Masonry Modern design criteria. The building incorporates a Tripartite Composition (base, middle and top), which is a criterion of the building's composition for this style of architecture. The building's façade is primarily composed stucco cladding with various shades of color and scoring to differentiate the design aesthetics. Furthermore, the façade contains metal awnings over the main entrance of the buildings as well the third-floor balcony. The building's overall design contains fenestrations, undulations, and articulations that stagger the volume of the building. The building's articulations include roof decks, balconies, and stoops. The buildings' exterior windows and doors are vertically oriented. Overall, the architectural style is monolithic in nature, but it is finished with modern articulations, plenty of windows, and screened with landscaping to create an overall design that is consistent with the Masonry Modern design; thus, complying with this requirement.

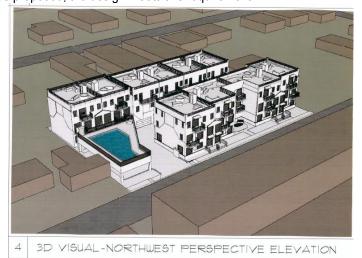


Visual Impact Analysis

- Pursuant to LDR Section 4.4.13(K), Visual Impact Analysis, A 3-D visual impact analysis will be required which includes a model of the proposed development in a format compatible with GIS, such as SketchUp, Communityviz, City Engine, etc. Models shall depict building height, massing, and other details such as rooftop equipment which may visually impact adjacent properties.
 - ✓ The applicant has provided is a 3-D impact analysis model that shows the subject site and the adjacent properties and structures within 100-feet of the property. The model and plan page AR demonstrate that the

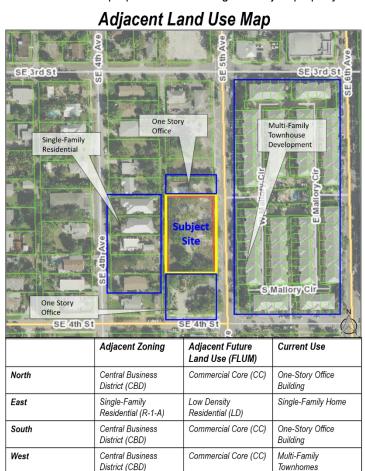


size and scale of the proposed development is compatible with the surrounding properties. Furthermore, the plans provided contain a site line study on page A8a, which shows adequate screening of roof top equipment. It is important to note, that the air conditioning units for the homes will be concealed within each individual unit. Therefore, as proposed, the design meets this requirement.



Adjacent Land Uses:

Pursuant to LDR Section 2.4.5(F)(5), Adjacent land use designations, "the approving body must make a finding that development of the property pursuant to the site plan will be compatible and harmonious with adjacent and nearby properties and the City as a whole, so as not to cause substantial depreciation of property values": The following table indicates the zoning and land use of the properties surrounding the subject property:





The subject property is located just North of the intersection of SE 4th Street and SE 5th Avenue. The proposed multi-family residential use (5th Avenue Square) is permitted in the Central Core Sub-Districtof the CBD zoning district. As previously mentioned, the development as proposed are two three-story buildings at a height of 38' composed of 10 fee-simple townhomes. The subject site is boards by CBD zoned one-story businesses on the North and South, a CBD zoned 84-unit fee-simple, three-story, Multi-Family townhome development (Mallory Square) to the East, and R-1-A, Single-Family homes to the West. The proposed townhomes will be fee-simple individually owned houses that would be compatible with the adjacent single-family zoned properties. Furthermore, the Single-Family homes would be buffered from the subject site by a proposed 20' wide paved alleyway. The proposed project as designed would be compatible in size and scale with the adjacent three-story townhome development across the street (SE 5th Avenue). Also, the proposed development is proposing approximately 17 du/ac which is less than the approximate 21 du/ac at Mallory Square, and less than the maximum 30 du/ac allowed in the CBD Central Core Sub-District. As a result of the aforementioned findings, the proposed project is compatible with adjacent properties in size, scale and use; thus, complying with this requirement.

Base District Requirements:

 Pursuant to LDR Section 4.3.4 (K), Table 4.4.13 (C), as shown on the site plans the proposed project meets or exceeded the minimum development standards for lot dimensions, setbacks, open space and lot coverage; thus, this requirement is met (see table below).

LDR Table 4.4.13 (C) Dimensional Requirements by CBD Sub-district

	(C) Dimensional Requirements by CBD Su	
Proposed Building	Required	Provided
Minimum lot requirements		
Lot Area	2,000 sf min.	25,032
Lot Width	20' min.	204.78'
Lot Depth	0	125'
Maximum Lot Coverage LDR 4.3.4 (K)	N/A	47.5%
Building Setbacks:		
Front	10 ft. min./15 ft. max.	10'
Side Interior	0'	9" (South), 2' (North)
Rear	10'	10'
Civic Open Space:	5% of area above 20,000 (5,032*.05 = 251 sf)	565 sf (11%)
Minimum Development Area	N/A	0.575 acres
Minimum Floor Area	N/A	approx.34,569 gsf
Maximum Height (Max. Height outside of the Atlantic Avenue Limited Height Area)	4 Stories and 54 ft.	34'-2" – top of roof
Maximum Density Allowed	30 du/ac	17 du/ac
Building Frontage Required on	75% min./	84.6 % Frontage on SE 5 th
Primary Streets	100% max.	Avenue (US-1)
Minimum Floor Area (three-bedroom units)	1,250 sq. ft.	Units range from 2,934 to 4,095 sf (approx.)

Landscape Requirements:

- Pursuant to LDR Section 4.6.16 (C)(1)(a), <u>Compliance</u>. Prior to the issuance of a building permit for a structure or a
 paving permit, compliance with the requirements of Section 4.6.16 shall be assured through the review and approval of
 a landscape plan submitted pursuant to Section 2.4.3(C).
 - ✓ The landscape plans have been reviewed by our Senior Landscape Planner for compliance 4.6.16 (H)(3) for New Multi-Family developments. The design as proposed meets the minimum requirements for tree and shrub quantity, plant size, species selection, drought tolerance and site placement.

- Pursuant to LDR Section 4.4.13 (E)(2)(a)1., <u>Curb Zone</u>. The curb zone is at least four feet wide, measured from the back of curb. This zone accommodates <u>street trees</u> and public infrastructure needs such as utility poles, street lights, street signs, parking meters, etc. These elements shall be located as close to the curb as possible; signs and parking meters shall be consolidated as much as possible.
 - ✓ The plans show six landscape nodes and new on-street parking spaces along SE 5th Avenue to comply with the curb zone requirement. Since the ROW (SE 5th Avenue) is a State road (US-1), the nodes would have to be constructed in accordance with FDOT guidelines and require a maintenance agreement with the State. The landscape nodes as proposed have Veitchia palm street trees and Green Island Ficus shrubs, which are consistent with corridor design in this area. The plants in the nodes would be installed in accordance with the visibility requirements listed in LDR Section 4.6.14 (D). Therefore, as proposed, this requirement has been met.
- Pursuant to LDR Section 4.6.16 (H)(3)(a) Landscape Buffer, A strip of land at least five feet in depth located between the off-street parking area or other vehicular use area and the right-of-way shall be landscaped, provided, however, that should the zoning code of the Delray Code of Ordinances require additional perimeter depths, that the provisions of the zoning code shall prevail.
 - ✓ As shown on page SP and LS1, the plans show a 5' landscape buffer between the paved driveway area and the property line. The buffer is designed with a continuous row of tiered hedging composed of green island ficus, cocoplum, llex schellings and saw palmetto plants and East Palatka trees installed 15' on center in accordance with LDR Section 4.6.16 (H)(3)(e). Therefore, as proposed, this requirement has been met.
- Pursuant to LDR Section 4.6.16 (H)(3)(i), <u>Landscape islands</u>, which contain a minimum of 135 square feet of planting area, with a minimum dimension of nine feet, exclusive of the required curb, shall be placed at intervals of no less than one landscaped island for every 13 standard parking spaces. One shade tree shall be planted in every island with a minimum of 75 square feet of shrubs and groundcovers.
 - ✓ As shown on page SP, the plans show four surface parking spaces and the remainder of the spaces will incorporated into the individual residential unit. On page LS1, the plans show landscape islands at each of the parking areas. Therefore, as proposed, this requirement has been met.
- Pursuant to LDR Section 4.6.16 (H)(5)(a), Special landscape regulations for properties within the Central Business
 District (CBD), Landscape Islands shall be installed within designated On-Street Parking locations. Properties
 submitting for Site Plan Modifications that are designated as Class IV or higher are required to install on-street landscape
 islands.
 - ✓ As previously discussed, the plans show landscape nodes (landscape islands) in the public ROW along SE 5th Avenue (US-1). The landscape nodes will have Veitchia palm street trees and Green Island Ficus shrubs. In accordance with the aforementioned LDR section, the plans show landscape islands between each on-street parking space (to be provided) in the ROW. The applicant must coordinate with the FDOT and the City's Engineering staff to determine the design standards for the public parking spaces, but as preliminary designed the plans show seven landscape islands. Furthermore, the plans show landscape islands provided on each side of the driveway apron leading to the property with accent trees consistent size with the adjacent on-street parking islands in accordance with LDR Section 4.6.16 (H)(5)(a)2. Therefore, as proposed, this requirement has been met.

Off-Street Parking Requirement:

■ The following table demonstrates the site plan's compliance with LDR Section 4.4.13 (I)(2) Table (L), Off Street Parking Requirements for CBD

Required	Provided
1.75 spaces per unit x 10 units = 17.5	17.5 spaces
spaces required	
.5 spaces (per unit) x 10 units = 5 spaces*	5 spaces
Total = 23 required	24 spaces

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- Pursuant to LDR Section 4.6.9 (C)(1)(b), Handicapped Spaces, Special parking spaces designed for use by the handicapped shall be provided pursuant to the provisions of Florida Accessibility Code for Building Construction. Such spaces shall not be in addition to, but shall substitute for, required parking.
 - ✓ According to the 2012 Florida Accessibility Code, the project is required to provide one handicap parking space for required parking between 1 to 25 spaces. As indicated on page SP, the plans show one handicap space, thus, meeting this requirement.
- Pursuant to LDR Section 4.6.9 (D)(3)(b), Point of Access and Drive Aisle Width, the point of access to a street or alley shall not be less than: Twelve feet for a one-way driveway or parking lot aisle.
 - As shown on SP, the plans show a 20' wide one-way access point at the entrance of the driveway from the alley and a 12' wide exit one-way driveway onto SE 5th Avenue (US-1). Furthermore, the plans show varying widths throughout the driveway from 12' to 25' feet to accommodate internal circulation and access to properties. Therefore, as proposed, this requirement has been met.
- Pursuant to LDR Section 4.6.9(D)(3)(c), Stacking Distance, provisions must be made for stacking and transition of incoming traffic from a public street, such that traffic may not backup into the public street system. For 20 or fewer parking spaces along, local access streets a minimum 5' stacking distance is required.
 - As measure on plan page SP, the plans show an approximate 17' stacking distance at the main entrance of the property to the first internal parking space; thus, this requirement has met.

Right-of-Way Dedication:

- Pursuant to LDR Section 5.3.1 (A)(3), Street Dedication When development is adjacent to an existing or planned street, the development shall be responsible for providing one-half of the ultimate right-of-way or such portion of the ultimate right-of-way which is yet undedicated and which is on that development's side of the ultimate right-of-way center line. In situations where there are unusual topographic features, greater or lesser dedications may be required.
 - ✓ Currently, the subject site adjoins an existing 16' wide alleyway that is currently not paved. The alley is planned to be paved in the future. In accordance to LDR Section 5.3.1 (D)(2), alleyways are required to be a minimum 20' wide. As such, due to the scale and nature of the proposed development, that a 4' foot dedication is required to contribute to the proposed 20' alleyway. Furthermore, since the applicant is proposing to use the alley as the primary entrance to the development, the applicant has indicated that they would pave the portion of the alley up to their North property line to provide access to their development until the City's commences their alleyway project to pave the remainder of the alley. The applicant would be required to pave the alley in accordance to City engineering standards. Therefore, as proposed, this requirement has been met.

Site Visibility Requirement:

- Pursuant to LDR Section 4.6.14(B)(1), Visibility Triangle, when an access way intersects a street or alley, 10 ft. sight visibility triangles areas shall be provided as measured from the area on both sides of a driveway formed by the intersection of a driveway and the parcel boundary with a length of 10 ft. along the driveway and a length of 10 ft. along the property line and the third side being a line connecting the ends of the other two lines.
 - As shown on plan page SP, the plans show a 10' sight line visibility triangles at entry access point along the alleyway and 25' sight triangles exit portion of the property along SE 5th Avenue. The plans provided demostrate that there are no obstructions within the site triangle, thus, complying with this requirement.

Lighting:

- Pursuant to LDR Section 4.6.8 (A)(1), Luminaries Maximum Height, for residential sites are 25'.
 - ✓ As shown on photometric plan page PH1, the plans show surface mounted light fixtures throughout the site less 20' above the ground, thus complying with this requirement.
- Pursuant to LDR Section 4.6.8 (A)(3) table 2, Photometric requirement, on-site lighting must be provided and be consistent with the minimum and maximum foot candle illumination level requirements. The following chart shows the photometric calculations proposed for the site.

Photometric Plan	Requir	ements	Propo	osed
PHOLOINELIIC PIAII	Minimum (fc)	Maximum (fc)	Minimum (fc)	Maximum (fc)
Parking lots	0.3	4.0	.6	7.9



Covered Parking	1.0	10.0	2.5	12.7
Area				
Building Entrances	1.0	10.0	1.0	11.8
Forecourt	0.5	5.0	3.3	7.0

- The plans show higher lighting levels than what is permitted under the code. As such, the photometric plan has to be revised to reduce the number of foot candles to meet the LDR requirements prior to site plan certification.
- Pursuant to LDR Section 4.6.8 (B)(3)(b), Light control and spillage, the applicant is encouraged to minimize light spillage from building and site and to reduce urban-glow for the development/redevelopment proposed. Maximum allowable illumination at the property line of any adjoining parcel or public right-of-way is 0.25 horizontal and vertical foot-candles measured at six feet above grade level.
 - ✓ As shown on page PH1, the plans show reduced light spillage to an average of 0.25 (fc.) light spillage onto adjacent properties and .45 (fc.) light spillage ROW's in an effort to minimize the light spillage, thus, complying with this recommendation.
 - ✓ The proposed lighting levels for the building entrances are within the permitted range, with the exception of the west entrances, which are low and could be increased by providing a wall sconce at each entry, which is a suggested revision prior to site plan certification. The balance of the site is in compliance.

Architectural Elevations and Aesthetics

- Pursuant to LDR Section 4.6.18 (B)(1) Building Aesthetics, Buildings or structures located along strips of land or on single sites, and not a part of a unified multi-building complex, shall strive to achieve visual harmony with the surroundings. If they are built in undeveloped areas, the three primary requirements shall be met: express honest design construction, show proper design concepts, and be appropriate to the City.
 - The proposed 10-unit townhome development is comprised of two, three-story multi-family buildings (4-unit, and 6-unit) with roof top amenities, one property managers building with a communal roof top swimming pool, and related site paving and landscaping. The buildings have been designed with a "Masonry Modern" architectural style which is approved within the CBD. The building's style incorporates pure geometric forms that are emphasized in the overall volumetric layout. The building's façade is composed of varying colors and thicknesses of scored and smooth stucco. The colors the applicant chose for the façade are "beige" for the horizontal bands, a "gray/silver" combination for the center units, "dark brown" for the doors, garage doors, and window frames, "dark gray" for the balcony, "white" for the end units, and "dark tan" for the accent stucco. The building windows will have a "bronze" tint, and the balcony glass will have a "dark gray" tint. The balcony railings will be a "bronze" metal. The buildings articulations are composed of balconies, stoops, demising walls, awnings, windows, and railings which augments the buildings mass creating for more a dynamic "Modern" look.
 - ✓ The proposed building expresses "honest design construction" as it uses weather resistant materials, such as impact resistant doors and windows and overhead doors, and sustainable building practices such as energy efficiency lighting, water conserving plumbing fixtures and irrigation, temperature reducing "cool" roof material, and Florida Friendly and native landscaping. Therefore, this requirement has been met.
 - ✓ The proposed building shows "proper design concepts" utilizing modern architectural design aesthetics, compatible colors with surrounding facades and similar scale with adjacent buildings; thus, this requirement has been met.
 - ✓ The proposed building is "appropriate to the city" as the building design is consistent adjacent townhome development and with other buildings in the CBD zoning district; thus, meeting this requirement.

Proposed Building Design







- Pursuant to LDR Section 4.6.18 (E)(1), Structure Conformity, 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.
 - ✓ The proposed structure meets the City's intent for "good design" as the building is designed with "Masonry Modern" architectural aesthetic features such as angulated facades varying depths, scored stucco reveals, balconies "bronze" color handrails and tinted glass, and metal awnings. Furthermore, the overall design of the site is similar in scale and look with adjacent structures and properties; thus, meeting this requirement.
- Pursuant to LDR Section 4.6.18 (E)(2), Exterior Design and Quality, the proposed structure, or project, is in its exterior design and appearance of quality such as not to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.
 - ✓ The proposed building design is compatible in size, scale, and appearance with properties in the CBD zoning district. The building elevation show varying thicknesses, colors, bands, and scoring designs stucco on the façade. In addition, the façade will have painted metal awnings and canopies which should sustain little to no maintenance throughout the longevity of the building. The building is composed of impact resistant storefront doors, windows and overhead doors which protect the structure from hurricane damage. In addition, the top of the building will have a 4' parapet wall composed of concrete block and gray tinted glass walls with handrails to screen the roof top amenities on the property. The site landscaping has been designed with with Florida Friendly, native, and drought tolerant plants which should be sustainable in the City's unique environment.

Establishment of the Proposed Use/ Certificate of Occupancy:

 Per LDR Section 2.4.6(C), a certificate of occupancy is required prior to the establishment of use on any site or occupancy of a structure. Prior to issuance of an occupancy permit, all conditions associated with this development approval shall be met, unless otherwise required.

Required Findings:

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

Section 3.1.1 (A) - Future 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 designation as a Future Land Use Map (FLUM) designation of Commercial Core (CC) and a Zoning map designation of Central Business District (CBD). In accordance with the future land use element of the Comprehensive plan Table L-6, the CBD zoning designation is consistent with the CC FLUM designation; thus, meeting this requirement.

Section 3.1.1 (B) – Concurrency:

 As described in Appendix A, a positive finding of concurrency is made as it relates to water, sewer, drainage, parks and recreation, solid waste, and traffic.

Section 3.1.1 (C) - Consistency:

- A finding of overall consistency may be made even though the action will be in conflict with some individual performance standards contained within Article 3.2, provided that the approving body specifically finds that the beneficial aspects of the proposed project (hence compliance with some standards) outweighs the negative impacts of identified points of conflict.
 - ✓ As described in Appendix B, a positive finding of consistency is made as it relates to the performance standards contained in Article 3.2.

Section 3.1.1 (D) – Compliance with the LDRs:

As described under the Site Plan Analysis section of this report, a positive finding of compliance with the LDRs is made.



Comprehensive Plan Policies:

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

Future Land Use Element (FLUE)

- 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 proposed development will be compatible in use, intensity and appearance with the surrounded buildings in the CBD zoning district.
- Pursuant to the Comprehensive Plan, Future Land Use Element, Future Land Use Map allocations, Commercial Core, the maximum dwelling units for residential uses within this category is 30 du/ac.
 - ✓ The proposed development has 17 du/ac; thus, complying with this requirement (0.593 acres * 17 du/ac = 10 units proposed).
- Pursuant to LDR Section 3.2.3 (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.
 - The plans show a proposed bike rack, widening of the adjacent sidewalk, paving of the rear alleyway, and a alternative fuel vehicle parking space, thus, complying with this requirement and policy.

Review by Others:

Palm Beach County Traffic Division

Pursuant to 2.4.6 (I)(3)(b), the Palm Beach County Traffic Division reviewed the traffic study and deemed it compliant with accordance with the County's regulations as described in Appendix "A." Its important to note that the Palm Beach County Traffic Division approval is only valid 1 year after its date of issuance on March 6, 2016. As such, staff has requested in the notes section of this report that the applicant provide an updated approval letter prior to site plan certification.

Utility Providers:

 Pursuant to 2.4.2 (C)(2)(a), utility providers where notified of the site plan submission and no objections have been provided to date.

Green Initiative Advancement Board (GIAB)

The GIAB reviewed the site plans for sustainable design (see attached comments).

Courtesy Notice:

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

Osceola Park neighborhood association

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

Assessment and Conclusion

In conclusion, the Fifth Avenue Square project consisting of a 10-Unit townhome development comprised of two, three-story multifamily buildings (4-unit, and 6-unit) with roof top amenities, one property managers building with a communal roof top swimming pool, and related site paving and landscaping has been found to have positive findings throughout the LDR. The proposed multi-family residential primary use and property manager building accessory use is consistent with the CBD zoning district. The proposed buildings as designed are compatible with surrounding properties in accordance with LDR Section 2.4.5(F)(5). The project as proposed is in compliance with the minimum zoning requirements for setbacks, height, parking, and landscaping. Furthermore, the



proposed project meets the review and approval process in accordance with LDR Section 4.4.13 (K)(2) and the site plan approval process in accordance with LDR Section 2.4.4 (F). As such, staff is recommending approval for the 5th Avenue Square Class V Site Plan application.

Alternative Motions:

- A. Continue with direction.
- B. Move approval of the request for a Class V Site Plan 2016-097-SPF-SPR-CL5 for **Fifth Avenue Square**, 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 LDR Sections 2.4.5(F)(1)(a), 4.6.18 (E), 4.6.16 and Chapter 3 of the Land Development Regulations, subject to the attached conditions of approval.
- C. Move denial of the request for a Class V Site Plan 2016-097-SPF-SPR-CL5 for **Fifth Avenue Square**, by finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in LDR Section 2.4.5(G)(5), Chapter 3, Section 4.6.18(E), and Section 4.6.16.

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Appendix "A" – Concurrency Findings

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

Water and Sewer:

- Civil plan W1 shows that the development will be tapping into the existing 10" water lines that runs parallel to the subject site along SE 5th Avenue to service the property. Furthermore, the City Engineer has reviewed the this page for site plan sufficiency.
- Civil plan SEW shows that the development will be tapping into the existing 6" sanitary sewer line that runs along the alley to service the property. Furthermore, the City Engineer has reviewed this page for site plan sufficiency.
 - ✓ 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 is made with respect to this level of service standard.

Streets and Traffic:

- The traffic generation statement provided, was created by Simmons and White Engineering. The traffic statement shows that the proposed 10-Unit townhome development is estimated to generate 67 new trips per day, 8 new AM peak hour trips, and 9 new PM peak hour trips at project build-out. Since the project is residential, it qualifies fro the Coastal Residential Exemption, the traffic study is not required to satisfy Test 1 or Test 2 as outlined in the Traffic Performance Standards. The Palm Beach County Traffic Division reviewed the traffic statement and determined that the proposed development meets the Traffic Performance Standards in Article 12 of the Palm Beach County Unified Land Development Code (ULDC).
 - ✓ As such, a positive finding was made by the Palm Beach County Traffic Division, subject to an updated letter being provided.

Parks and Recreation Facilities: Prior to building permit the applicant would be required to provide a Parks and Recreation impact fee to the City in accordance with LDR Section 5.3.2 (C). The amount assessed shall be \$500.00 per dwelling unit regardless of size or occupancy.

Solid Waste:

Proposed Demand:

Residential Dwelling unit: 19,938 g.s.f x 0.52lbs = 10,367 / 2,000 = 5.18 tons per year

Office: $500sf \times 5.4 lbs = 2,700 / 2,000 = 1.35 tons per year$

Tonnage per year = 6.53 tons

✓ The proposed Fifth Avenue Square townhomes project will add approximately 6.53 tons of waste per year to the current demand. The Solid Waste Authority has indicated that its facilities have sufficient capacity to handle all development proposals till the year 2048, thus, meeting concurrency.

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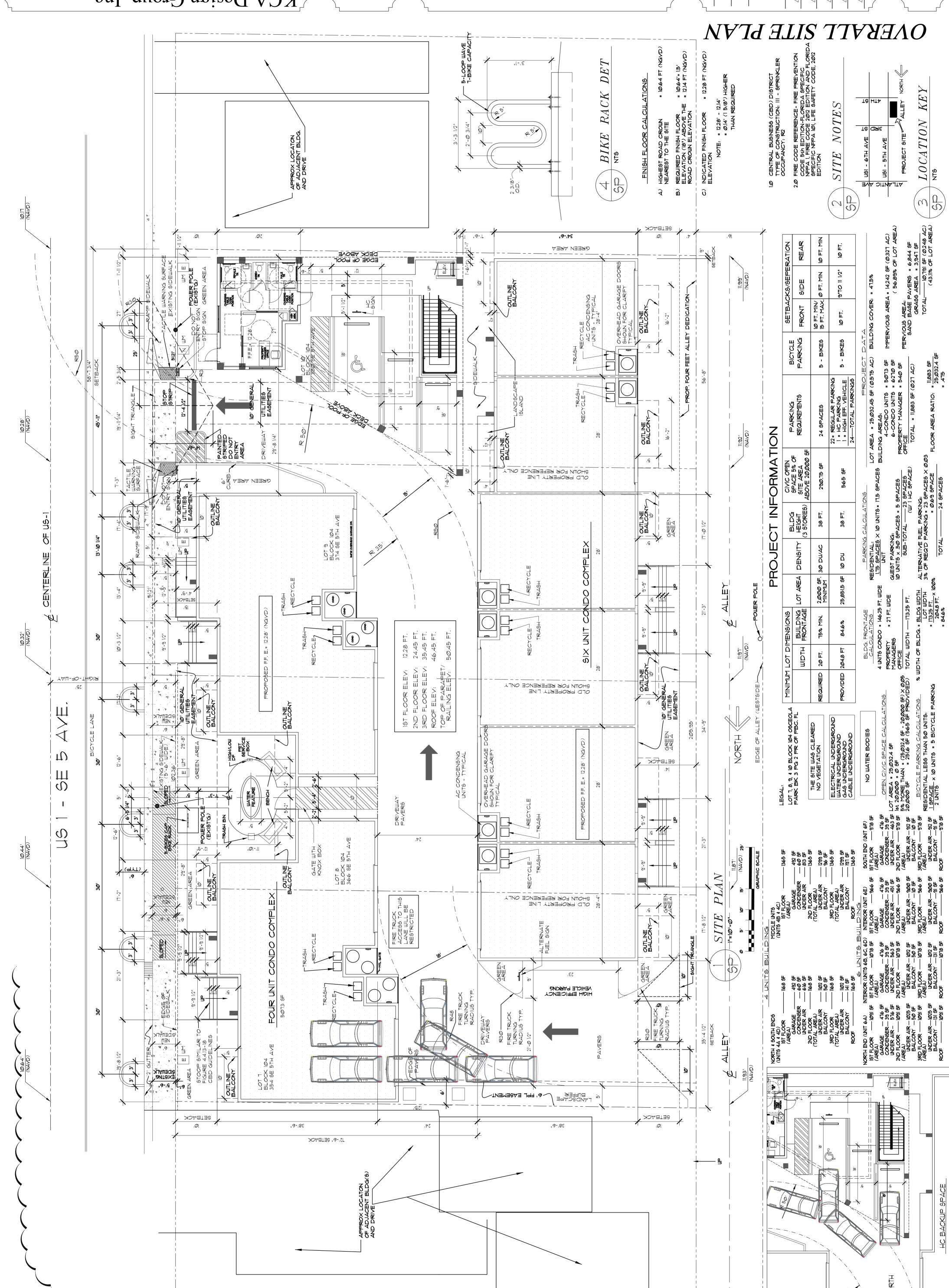
APPEN	DIX "B" - STANDARDS FOR SITE PLAN ACTIONS Sec. 3.2.3 (A) through (J)
A.	Building design, landscaping and lighting (glare) shall be such that they do not create unwarranted distractions or blockage of visibility as it pertains to traffic circulation. Not applicable Meets intent of standard Does not meet intent
B.	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
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 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
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 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 Does not meet intent
G.	Redevelopment and the development of new land shall result in the provision of a variety of housing types which shall continue to accommodate the diverse makeup of the City's demographic profile and meet the housing needs identified in the Housing Element. This shall be accomplished through the implementation of policies under Objective B-2 of the Housing Element. Not applicable Meets intent of standard Does not meet intent
H.	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 Does not meet intent

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I.	Development shall not be approved if traffic associated with such development would create a new high accident location, or exacerbate an existing situation causing it to become a high accident location, without such development taking actions to remedy the accident situation. Not applicable Meets intent of standard Does not meet intent
J.	Tot lots and recreational areas, serving children 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 Does not meet intent

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REVISIONS BY

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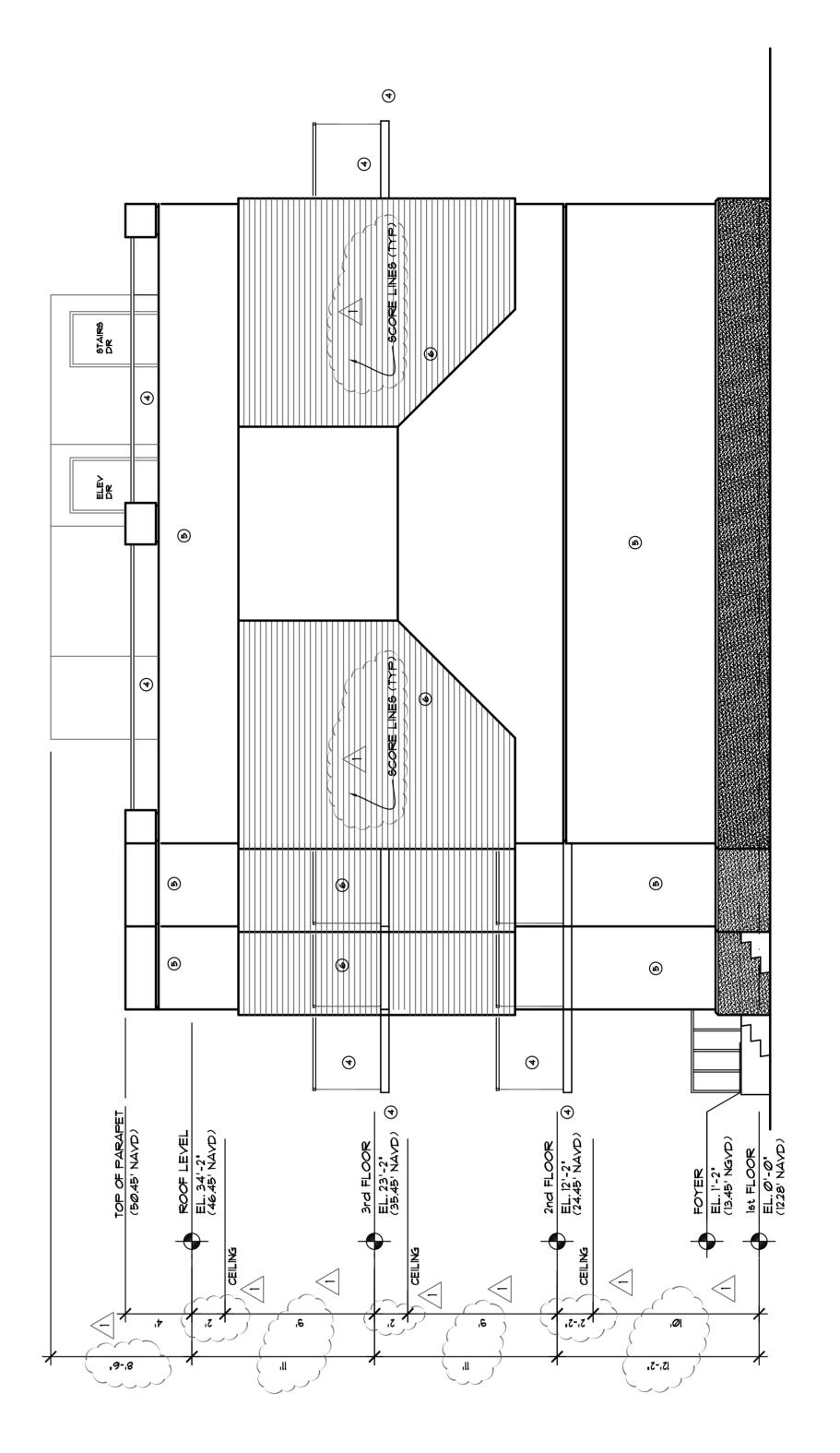
SIDE 3/16' = 1'-0'

BEVCH CONNLK' ET \$\forall 324 \text{ REVCH} \text{ VELRY REVCH} \$\forall 21H \text{ VAE'' DELRY REVCH} \$\forall 21H \text{ VAE'' 314 \text{ REVCH} \text{ VAE''} 390 \text{ REVCH} HOLDINGS, LLC - ADDRESSES: 2TH AVENUE SQUARE

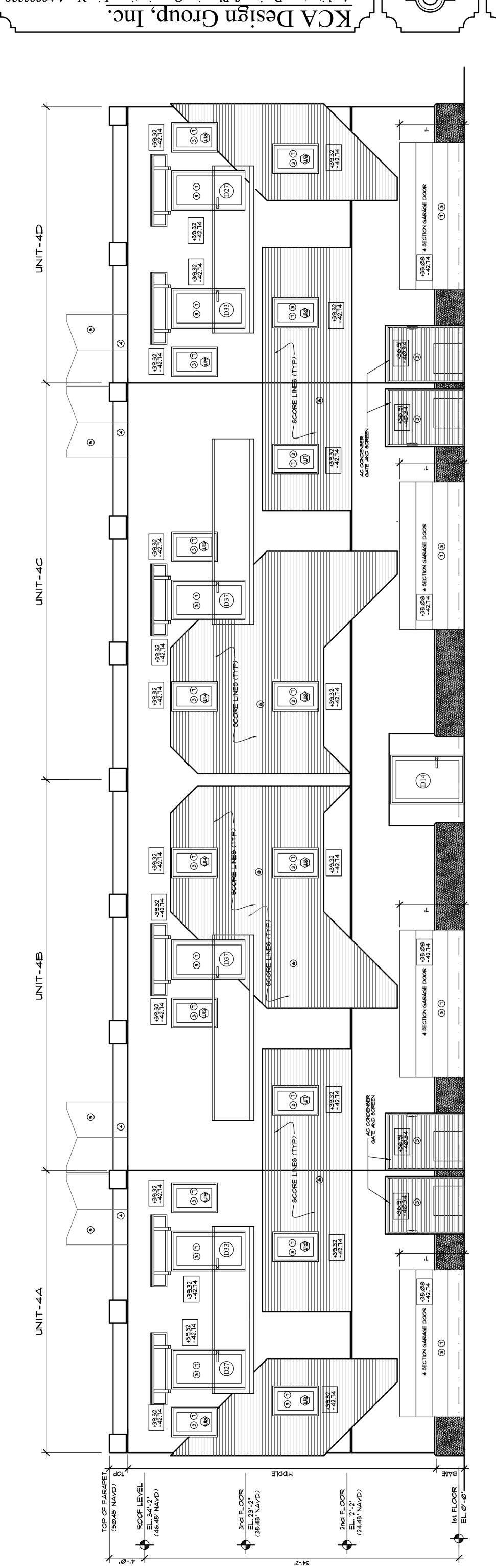
REAR ELEVATION (WEST)

Keith D. Chambers, R.A. President - AR 13376 Telephone (561) 361-0577 - Fax (561) 999-0007 E-mail: Keith@kcadesigngroup.com - Cell: (561) 289-2015 4800 N Federal Highway - Suite 205B - Boca Raton, FL. 33431 Architecture, Design, & Planning Organization - Lic. No. AA0003330

SEAR ELEVATIONS- 4 UNITS



	BRAND NAME COLOR	COMMON NAME COLOR	AREA
$\overline{\left(-\right)}$	BEHR STONE	LT GRAY/DR GRAY/BLEND GRAY	HORIZONAL BAND
(2)	BEHR WHITE	WHITE	MAINFIELD CENTER UNITS
(3)	FACTORY FINISH WHITE	WHITE	WINDOW & DOOR FRAMES
(4)	BEHR MAGNET	DARK GRAY	BALCONY/GRAY TINT GL
(n)	BEHR WHITE	WHITE	MAINFIELD END UNITS
(e)	BEHR HARVEST	GRAY	ACCENT STUCCO
$\overline{(}$	GRAY WINDOW TINT		
	BUILDING MATERIALS: CMU WALLS WITH PAINTED SCORE	D SCORED & SMOOTH STUCCO.	



ELEVATION

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BASE N

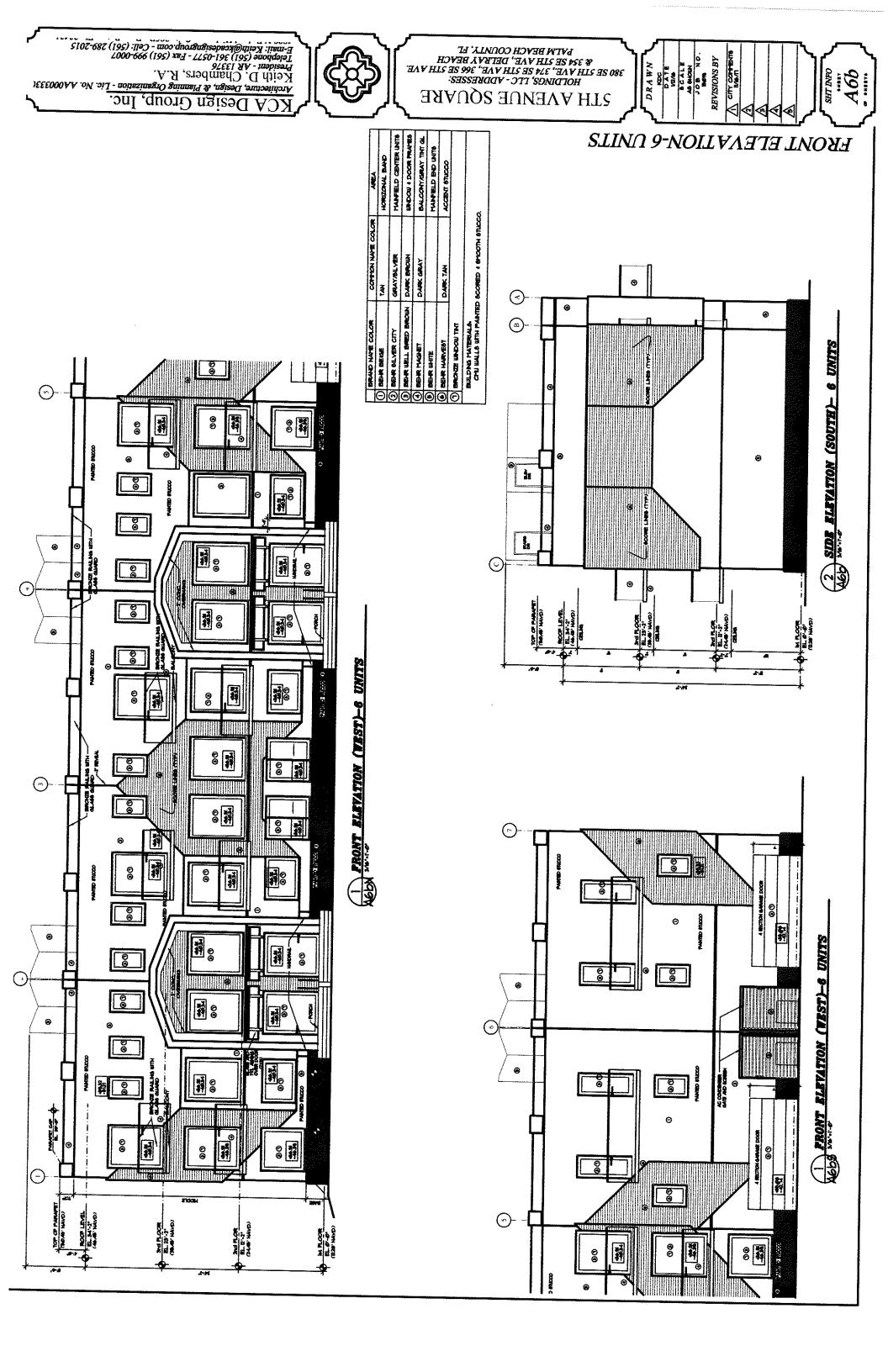
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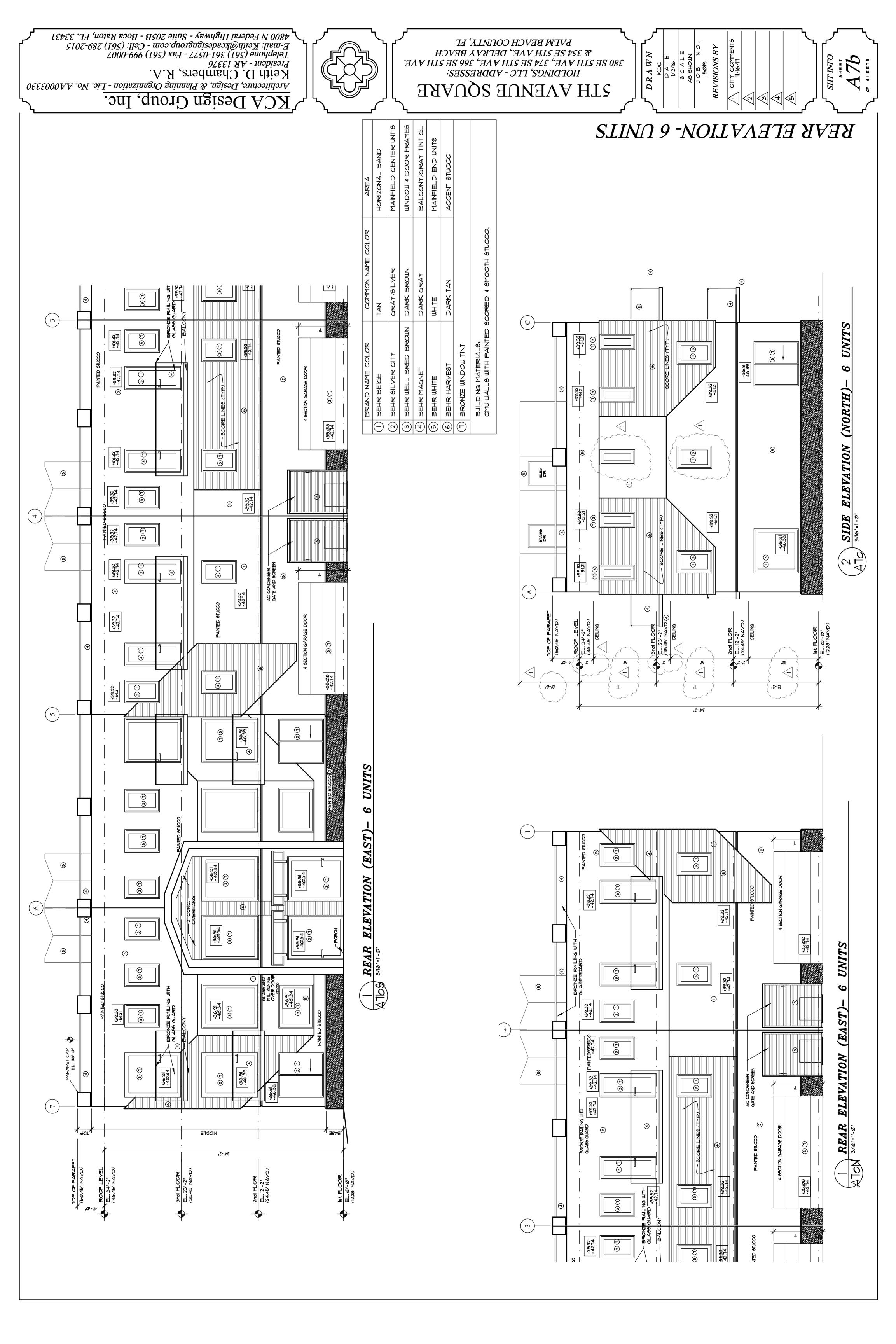
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IF & BOABAT &

891-4" SPIRAL STAIRS







5TH AVENUE SQUARE

KCA Design Group, Inc.

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