SITE PLAN REVIEW AND APPEARANCE BOARD	

# 7<sup>th</sup> Avenue Banyan

MeetingFile No.Application TypeJanuary 25, 20232022-092-SPF-SPR-CL5Class V Site Plan with Waiver

Applicant / Property Owner Authorized Agent

West Atlantic Development Company, LLC

John W. Szerdi, LEED AP of Living Designs Group Florida Architects, Inc.

Request

Consideration of a Class V Site Plan, Landscape Plan, and Architectural Elevations for the construction of a 16,298 square foot, three-story mixed-use building, also known as 7<sup>th</sup> Avenue Banyan, located on properties currently addressed as 625, 633, and 645 West Atlantic Avenue.

### **Site Data & Information**

Location: 625, 633, and 645 West Atlantic Avenue

**PCNs:** 12-43-46-16-01-012-0030; 12-43-46-16-01-012-

0050; and 12-43-46-16-01-012-0040

Property Size: 0.40 Acres (17,424 square feet)

Land Use Designation: Commercial Core (CC)

Zoning District: Central Business District (CBD), West

Atlantic Neighborhood Sub-district

# Adjacent Zoning:

o North, South, East & West: CBD, West Atlantic

Neighborhood Sub-district

Current Use: Vacant

## Floor Area Ratio:

o **Proposed:** 0.93

o Maximum Allowed: 3.0

### **CBD Central West Atlantic Neighborhood Sub-district**

- West Atlantic Avenue:
  - -Primary Street
  - -Required Retail Frontage
  - -West Atlantic Neighborhood Commercial Area
- o NW 7th Avenue
  - -Secondary Street
  - -West Atlantic Neighborhood Commercial Area





# **Background**

The site is located on the northeast corner of West Atlantic Avenue and SW 7<sup>th</sup> Avenue, and has remained vacant for 14 years. Directly to the east is a +/- 4,641 square foot retail store constructed in 1959. Across the alley to the north is a mix of single family residences and vacant land, to the west is vacant land and a gas station, and to the south, across West Atlantic Avenue, is a mix of vacant land and City-owned property.

The property is located within the Community Redevelopment Agency (CRA) district boundaries, the Downtown Development Agency (DDA) district boundaries, and the West Atlantic Avenue Overlay district boundaries. The West Atlantic Master Plan, adopted in 2020, builds upon prior efforts with "an ultimate goal of aligning the West Atlantic neighborhoods with the success of the rest of Delray Beach, not just in terms of appearance, but more importantly, equitable access to economic opportunity, wealth creation, and health." The Plan identifies the subject area as an area for development opportunity, being part of the vacant land inventory along West Atlantic Avenue.



Below is an outline of the property's development history:

- 625 West Atlantic Avenue
  - 1959 A 1,110 square foot commercial building was constructed on the site.
  - 1961-1969 Multiple additions were approved and constructed for the establishment of a restaurant.
  - 2008 The commercial building was demolished.
  - Current The lot remains vacant.
- 633 West Atlantic Avenue
  - 1967 A 17,306 square foot commercial building was constructed on the site.
  - 1968 A 4,327 square foot addition was approved and constructed.
  - 2008 The commercial building was demolished.
  - Current The lot remains vacant.
- 645 West Atlantic Avenue
  - 1962 A 12,654 square foot theater was constructed on the property.
  - 2008 The theater was demolished.
  - Current The lot remains vacant.

On its meeting of December 14, 2022, the Site Plan Review and Appearance Board (SPRAB) recommended approval of a waiver to LDR Section 4.4.13(C)(3)(a)(2)(a), Required Retail Frontage Use Limitations, to allow the use of a Porch with Storefront frontage type in place of the required Storefront or Arcade with Storefront frontage type. Following this, on its meeting of January 10, 2023, the City Commission approved the waiver, 5 to 0.



# **Description of Proposal**

The request is for the construction of a 16,298 square foot, three-story mixed-use building with ground floor retail and two floors of office space. The property fronts a portion of West Atlantic Avenue that is designated as "Required Retail Frontage", requiring a Storefront or Arcade with Storefront frontage type. However, the development was approved for a Porch with Storefront frontage type, which provides a high percentage of glazing along the ground floor and a covered walkway running parallel to the public sidewalk. The Porch incorporates steps, ramps, and planters leading up to the retail storefronts.



Regarding parking, a total of 23 off-street parking spaces are provided to the rear of the building, utilizing the required retail and office parking ratios. It is noted that the applicant has indicated that there will be no restaurant uses on the floor plan. Therefore, if a restaurant use is proposed at the site in the future, parking would be reassessed using the restaurant parking ratio (six spaces per 1,000 square feet of gross floor area).

# Review & Analysis: Site Plan and Zoning

# LDR Section 2.4.5(F)(5), Class V Site Plan

A Class V Site Plan is an application for new development of vacant land, and which requires full review of Performance Standards found in Section 3.1.1. In addition to provisions of Chapter 3, the approving body must make a finding that development of the property as represented by the Class V site plan or MDP 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.

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

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.

### 3.1.1(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 Land Use Map.

The subject property has a Land Use Map designation of CC, and a zoning designation of CBD, which, pursuant to Table NDC-1 of the Always Delray Comprehensive Plan, is a preferred and compatible zoning district of the CC land use designation. Pursuant to LDR Section 4.4.9(B), general retail uses and business offices are permitted uses within the CBD, West Atlantic Neighborhood Subdistrict. Therefore, the resulting use of land is compatible with the underlying land use.

#### 3.1.1(B), Concurrency

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.



<u>Potable Water and Sewer</u>: Water and sewer services will be provided on site, and an existing gravity sewer line will be connected to the north side of the property. Pursuant to the Always Delray Comprehensive Plan, treatment capacity is available at the City's Water Treatment Plant and the South-Central County Wastewater Treatment Plant for the City at build-out.

<u>Drainage</u>. Drainage and water run-off are addressed through roadside swales along NW 7<sup>th</sup> Avenue, which should not impact the level of service standard.

<u>Transportation:</u> The Transportation Performance Standards (TPS) letter, dated December 9, 2021, states that the proposed project is anticipated to generate approximately 330 new daily trips. The Traffic Impact Analysis dated November 26, 2021 and conducted by JMD Engineering, Inc., provides further details, identifying an additional 36 AM peak hour trips and 30 PM peak hour trips. However, as the proposed development is within the City's Traffic Concurrency Exception Area (TCEA), the project is exempt from the TPS of Palm Beach County.

<u>Parks and Open Space:</u> Given that the site area is less than 20,000 sf does not meet the threshold requiring the provision of civic open space. Additionally, park dedication requirements and fees do not apply to non-residential uses.

<u>Solid Waste</u>: Based on the Palm Beach County Waste Generation Rates, the proposed project is anticipated to generate approximately 110,329 pounds of solid waste per year. The Solid Waste Authority has indicated that its facilities have sufficient capacity to accommodate all development proposals until 2054.

Schools: Not Applicable.

## 3.1.1(C), Consistency

A finding of overall consistency may be made even though the action may 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.

The applicable subsections of Article 3.2, Performance Standards, are LDR Section 3.2.1, which requires a determination of consistency with the Comprehensive Plan, and LDR Section 3.2.3, which provides standards for site plan actions. The Standards strive to ensure that new development will not have a negative impact on the sounding area, provide any requisite amenities to enhance the quality of life for its residents when residential units are provided, provide appropriate mobility connections and open space and recreational improvements, and comply with the maximum intensity and density allowed for the land use designation and zoning district. The proposed development generally meets the applicable standards as there are no identified concerns related to the overall consistency with Article 3.2.

#### **Comprehensive Plan**

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

<u>Table NDC-1</u>: The Central Business District (CBD) is a preferred implementing zoning district of the Commercial Core (CC) land use designation.

<u>Policy NDC 1.3.7</u>: Implement the Commercial Core land use designation using form-based code to provide for adaptive-reuse, development, and redevelopment that preserves the downtown's historic moderate scale, while promoting a balanced mix of uses that will help the area continue to evolve into a traditional, self-sufficient downtown. [...] The Commercial Core designation accommodates a variety of uses including commercial and office development; residential land use upper story apartments; older homes renovated to accommodate office use; and uses such as "bed and breakfast" establishment; and industrial/commerce type uses.

<u>Goal NDC 2, Quality of Life and Urban Form</u>: Provide a high qualify of life for all residents, encourage a mix of building types and uses, diverse housing, and transportation options, and use meaningful community engagement to transform underutilized and blighted areas into attractive and thriving neighborhoods, districts, and corridors.

<u>Policy NDC 2.2.7</u>: Within the Commercial Core, locate and design off-street parking areas in a manner that does not detract from the character by providing standards in the Land Development Regulations.

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Policy MBL 2.6.1: The City shall not abandon alley rights-of-way, and recognizes the important functions alleys provide by dispersing traffic, diversifying access points to properties, providing for multimodal access, and facilitating local trips.

Policy MBL 2.6.2: The City shall maintain the existing network of alleys in the downtown, which provide multiple benefits that enhance the quality of the area:

- Providing access for sanitation collection
- Providing locations for utilities
- Minimizing commercial deliveries from occurring in the primary street network
- Reducing pedestrian-vehicular conflict points on the sidewalk

Review

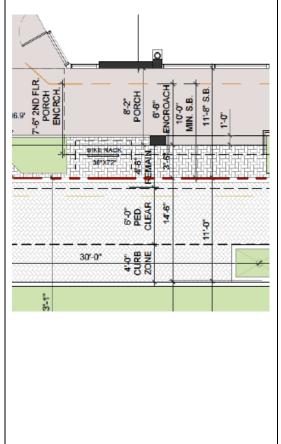
Overall, the proposed development is consistent with the applicable Goals, Objectives, and Policies of the Always Delray Comprehensive Plan, particularly those of the Neighborhood, Districts, and Corridors Element and the Mobility Element. The proposal is a mixed retail and office infill development that will assist in activating the West Atlantic Avenue corridor and has the potential to encourage additional development in the area. The increased inventory of commercial uses within walking distance of the adjacent neighborhood supports numerous goals of the West Atlantic Master Plan adopted in 2020. Further, vehicular access is provided via NW 7th Avenue and the alley in the rear, dispersing traffic in and out of the site, thereby supporting the noted Mobility polices.

# 3.1.1(D), Compliance with the LDRs:

Standard/Regulation

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 2.4.5 and in special regulation portions of individual zoning district regulations.

Standard/Regulation	IVEAIGM	
Height	Maximum: 54 feet, 4 stories	
Table 4.4.13(C)	Proposed: 38 feet, 3 stories; 45 feet to top of	
Streetscape Standards	The project complies with the minimum requi	rements of the CBD streetscape standards
4.4.13(E)(2)	De surlando AF ford	Г
Minimum Streetscape Width	Required: 15 feet	
	Curb Zone: 4 feet (min.)	
	Ped. Clear Zone: 6 feet (min.)	
	Front Setback Area: up to 15 feet	
	NW 7 <sup>th</sup> Avenue	5
	Provided: 20 feet, 5 inches (total)	8.2 PORCH 6'-6" PORCH 6'-6" 10-0" 11-8' S.B.
	Curb Zone: 4 feet	8.2 POR ENCRO 10.0"
	Ped. Clear Zone: 6 feet	i v
	Front Setback Area: 10 feet, 5 inches	SIKE RACK Z
	Tront Setback Area. To leet, 5 inches	30°X72' 10 € 2
	West Atlantic Avenue	
	Provided: 22 feet, 8 inches (total)	P G X
	Curb Zone: 4 feet	6'-0" PED. CLEAF 14'-6
	Ped. Clear Zone: 6 feet	<del> </del> <del>-</del>
	Front Setback Area: 12 feet 8 inches	30-0. 20 E B B
		*58
	The project proposes a 4-foot curb zone	1-1-
	where required street trees are located,	(n)
	followed by a 6-foot pedestrian clear zone	
	that leads to the elevated Porch frontage.	
	The Porch along NW 7 <sup>th</sup> Avenue is 10 feet,	
	5 inches deep with a 5 foot, 11 inch	
	encroachment into the setback, and the	
	Porch along West Atlantic Avenue is 8 feet,	
	2 inches with a 6-foot, 6 inch setback	
	encroachment.	
L.	•	





Remaining Front Setback Area 4.4.13(E)(2)(a)3.	<b>Required:</b> Hardscape or Landscaping comprised of plants in removable planters, palms and/or ground planting may be installed adjacent to the building provided views into storefront windows are not obstructed.
	<b>Proposed:</b> The remaining front setback area contains steps, ramps, and platers leading up to the retail storefronts.
Frontage Type 4.4.13(E)(4)	Required: As the Property is located along Required Retail Frontage, a Storefront or Arcade with Storefront frontage type is required to reinforce the ground floor retail uses. On January 10, 2023, the City Commission approved a waiver to allow the use of a Porch frontage type in place of the required Storefront or Arcade with Storefront frontage type.  Proposed: The proposed Porch ranges from 8 feet and 2 inches to 10 feet and 5 inches deep, encroaches a maximum of 6 feet and 6 inches into the required front setback, and is approximately one foot in height to absorb the changes in grade along West Atlantic Avenue.
Architectural Elevations	A review of the CBD architectural requirements is provided under the <b>Architectural Elevations</b>
4.4.13(F)	section of the report.
Civic Open Space LDR Section 4.4.13(G)	Not required, based on size of parcel.

Other Requirements

Other Requirements		
Standard/Regulation	Review	
<b>Lighting (Photometric Plan)</b> 4.6.8(A)(3), Illumination Standards: Table 2	The proposed lighting complies with the minimum and maximum illumination requirements for street lighting, off-street parking illumination, and lighting at the building entrance.	
Off-Street Parking	Required  A minimum of one parking space is required for every 500 square feet of retail or office space, resulting in a total of 26 parking spaces required. However, due to the mix of uses, the development has applied the reduced shared parking calculations pursuant to LDR Section 4.6.9(C)(8). Based on the shared parking calculations, the mixed-use development is required to provide a minimum of 23 parking spaces,	
	<b>Provided</b> All 23parking spaces are provided in the rear of the site with access on NW 7 <sup>th</sup> Avenue and the alley.	
Bicycle Parking LDR Table 4.4.13(M)	Four Type 1 bicycle spaces are provided on the west side of the property, south of the driveway off of NW 7 <sup>th</sup> Avenue.	

Further review of the project for compliance with the LDR is provided as part of the Landscape Plan and Architectural Elevations review

# Review & Analysis: Landscape Plan

### LDR Section 2.4.5(H)(5), Findings

At the time of action on a landscape plan, the approving body shall make finding with respect to the proposed plan's relationship to the following:

- (a) Objectives of landscaping regulations Section 4.6.16.;
- (b) Site and landscape design standards pursuant to Section 4.6.16.

An overall determination of consistency with respect to the above items is required in order for a landscaping plan to be approved.

The proposed project includes substantial landscpaing improvements to the entire site, as the site is predominantly empty and currently contains two Palmtrees. The required street trees (Live Oaks) are provided along both West Atlantic Avenue and NW 7<sup>th</sup> Avenue. In addition, there are plantings along the front porch adjacent to West Atlantic Avenue that include Simpson Stoppers in front of each column. Additional landscaping is provided around the rear parking area, which is required, and includes Silver Buttonwoods to provide shade with Bulnesia trees to accent the vehicular access points. The landscape plan has been deemed technically compliant by the

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Senior Landscape Planner with the requirement of a landscape maintenance agreement between the property owner and the City, requiring the property owner to maintain any tree grates, irrigation, and landscaping of street trees.

# **Review & Analysis: Architectural Elevations**

# LDR Section 2.4.5(I)(5), Architectural (appearance) elevations: Findings

At the time of action on architectural elevations the approving Board shall make findings with respect to the objectives and standards as contained in the architectural regulations, Section 4.6.18. An overall determination of consistency with respect to the above is required in order for an architectural plan to be approved.



### LDR Section 4.6.18, Architectural Elevations and Aesthetics

## (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.

The proposed elevations provided below have been reviewed for compliance with Section 4.6.18 and are deemed in compliance with minimum standards.







### (B) Building and structure requirements.

The minimum aesthetic standards of this Section have generally been met by the proposed architectural design. The architectural style of Masonry Modern is an anticipated design in the CBD. Pursuant to the Delray Beach CBD Architectural Design Guidelines, stone and wood details are often used to soften the stark modern forms of the building mass. Further, exterior finishes in the Masonry Modern language are typically stucco. Walls are often extended as columns or railings, though simple metal pipe railings are also common. Elements such as shading louvers, deep roof overhangs, vertically proportioned windows, and exterior spaces also define the Masonry Modern architectural style.

The project utilizes treatment, materials, and setbacks that differentiate the base from the middle and the top. The base is emphasized with glass and a covered walkway, the middle sits on top of the Porch with open terraces and vertically proportioned windows lined by metal louvers for screening. The top is setback and incorporates an open-air terrace with a parapet above the third floor to screen the mechanical equipment. Wall tile/stones in the color Sardinia Oxide are incorporated into the building's detailing on the second and third floors.

Pursuant to **LDR Section 4.4.13(6)(c)**, the maximum height of a parapet wall shall be six feet or sufficient height to screen all roof mounted equipment, whichever is greater. The parapet above the third floor is seven feet in height, necessary to screen the rooftop mechanical equipment. The blank treatment of the parapet, however, is without a banded detail to terminate the top and solidify the building on the ground, while breaking up the height of the parapet. The Board should consider if this additional detail, which is not inconsistent with the architectural style, should be added.

### (E) Criteria for Board Action

The following criteria shall be considered by the Site Plan Review and Appearance 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 development is generally in conformity with good taste and good design as it incorporates many elements of the Masonry Modern architectural style outlined in the Delray Beach CBD Architectural Guidelines. The West Atlantic Master Plan identifies "an ultimate goal of aligning the West Atlantic neighborhoods with the success of the rest of Delray Beach, not just in terms of appearance, but more importantly, equitable access to economic opportunity, wealth creation, and health". The project will enhance the appearance of the West Atlantic Avenue corridor and encourage activity west of the central core downtown. The Plan identifies the subject area as an area for development opportunity, and as an anticipated use and intensity in this area, the project will be harmonious with the other proposed developments along the corridor.

## LDR Section 4.4.13(F), Architectural Standards

To ensure high quality architecture in the downtown area, the following architectural standards apply to all buildings in the Central Business District Sub-districts and in the OSSHAD with CBD Overlay. In addition to the standards in Section 4.6.18, the following standards apply in all CBD Sub-districts.

Standard/Regulation	Review
Façade Composition Tripartite Composition: Base Middle, Top 4.4.13(F)(2)	The improvements meet the intent of the building composition requirements. For example, there is strategic use of treatment, materials, and setbacks that differentiate the base from the middle and the top. The base is emphasized with glass and a covered walkway, the middle sits on top of the Porch with open terraces and metal louvers for screening, and the top is setback with terraces and a parapet.
Appropriate Architectural Styles 4.4.13(F)(3)	Proposed Style: Masonry Modern Style Details Utilized: Use of stucco, incorporation of ground floor commercial emphasized with glass, integrated signage, streamlined design, use of abstract geometries on the exterior, vertical window proportions, roof overhangs, and metal louvers.
<b>Walls</b> 4.4.13(F)(4)	Required: Maximum two primary material's appropriate to architectural style Provided: Smooth Stucco and Concrete Required: Maximum four base wall colors Provided: Two base wall colors with two accent colors
<b>Openings</b> 4.4.13(F)(5)	Transparency requirement has been met. Primary entrances are easily identified.
<b>Roofs</b> 4.4.13(F)(6)	Flat roof and rooftop equipment are screened by a seven-foot parapet. Rooftop terraces are provided on the second and third floor but are not provided on the roof deck (above the third floor).
Standard/Regulation	Review
Parking Garages 4.4.13(F)(8)	There are no parking garages proposed with the subject development.
Reduction of Urban Heat Islands 4.4.13(F)(9)	Approximately 69 percent of the non-roofed areas are light colored concrete with a reflectance of 0.3. Further, based on the roof plan provided, the roofing and terrace material will comply with the City's reflectance and emissivity requirements.
<b>Green Building Practices</b> 4.4.13(F)(10)	Green building certification is not required for developments containing less than 50,000 square feet; the applicant has not specifically indicated if any green building elements will be incorporated into the project.

### **Delray Beach Central Business Architectural Design Guidelines**

Masonry Modern is defined by its rational load bearing construction technique, its system of punched openings (versus large expansive walls of windows) and its limited ornament. Stucco is the prevalent building finish in the Masonry Modern style. Stone and wood details are used to soften the stark moderns forms of the building mass.



The proposed building design exhibits many characteristics of the Masonry Modern style. The exterior utilizes predominately smooth stucco and concrete with wall tile/stone accents and metal shading louvers on the second floor. The articulation of the massing communicates a hierarchy of the design, and the material shifts provide design interest across the façade. The percentage of glazing provides adequate transparency, while the Porch frontage on the ground floor and the metal decorative louvers on the second floor provide shade. The building has a defined base, middle, and top that is achieved utilizing elements such as material and color variation, and bump-outs and setbacks. Staff does encourage the Board to consider whether the blank treatment of the seven-foot parapet is compatible with the Masonry Modern architectural style and compliments the aesthetic of the building.

# **Review by Others**

The **CRA** received the full Class V Site Plan with the waiver request in its September 10, 2022 CRA report.

The **DDA** reviewed the full Class V Site Plan with the waiver request at its meeting of September 12, 2022. A recommendation to approve the proposed Class V Site Plan with waiver was carried 5 to 0. The DDA Memo is attached and provides additional information.

## **Optional Board Motions**

- A. Move **approval** of the Class V Site Plan (2022-092), Landscape Plan, and Architectural Elevations for **7**<sup>th</sup> **Avenue Banyan**, a 16,298 square foot, three-story mixed-use building with ground floor retail and two floors of office space, located at **625**, **633**, **and 645 West Atlantic Avenue**, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations.
- B. Move approval, as amended, of the Class V Site Plan (2022-092), Landscape Plan, and Architectural Elevations for 7<sup>th</sup> Avenue Banyan, a 16,298 square foot, three-story mixed-use building with ground floor retail and two floors of office space, located at 625, 633, and 645 West Atlantic Avenue, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations.
- C. Move **denial** of the Class V Site Plan (2022-092), Landscape Plan, and Architectural Elevations for **7**<sup>th</sup> **Avenue Banyan**, a 16,298 square foot, three-story mixed-use building with ground floor retail and two floors of office space, located at **625**, **633**, **and 645 West Atlantic Avenue**, by finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in the Land Development Regulations.
- D. Move to continue with direction.

#### **Technical Notes**

Prior to the certification of the site plan, the following must be completed:

- 1. The property is comprised of three parcels and is a unified development; therefore, the parcels will be required to plat. A plat will need to be recorded for the site prior to the issuance of a building permit. Please refer to the platting procedures in LDR Section 2.4.5(J) and (K) as well as the platting requirements in Chapter 5. Right-of-way dedications can be included as part of the plat or submitted prior to the plat through the Right-of-way deed process.
- 2. As a portion of the pedestrian clear zone is within the right of way, a sidewalk easement shall be granted for said portion. The property owner shall also be required to enter into a maintenance agreement, requiring the property owner to be responsible for and maintain any improvements made or installed by the owner in the right of way. The sidewalk easement and maintenance agreement require City Commission approval subsequent to site plan approval and shall be recorded prior to site plan certification.
- Submit separate application for review and approval of signage; not included with the subject request per LDR.

# **Courtesy Notices**

X Courtesy Notices were sent to:

- West Settlers Historic District
- Paradise Heights

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