



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

SITE PLAN REVIEW AND APPEARANCE BOARD STAFF REPORT

Delray Community Missionary Baptist Church

Meeting	File No.	Application Type
January 25, 2023	2020-082-SPF-SPR-SPR-CL5	Class V Site Plan Modification
Property Owner	Applicant	Agent
Delray Community Missionary Baptist Church Inc.	DCMBC	Steve Siebert Architecture
Request		

Consideration of a Class V Site Plan, Landscape Plan, and Architectural Elevations for Delray Community Missionary Baptist Church on the properties currently addressed as 88 and 94 SW 5th Avenue and two additional unaddressed vacant parcels associated with the construction of a new church building and site improvements including parking and landscaping.

General Data

Location: 88 & 94 SW 5th Avenue, two unaddressed parcels

PCN: 12-43-46-16-01-022-0090; 12-43-46-16-01-021-0011

12-43-46-16-01-021-0080; 12-43-46-16-01-022-0100

Property Size: 0.4598

LUM: CC (Commercial Core)

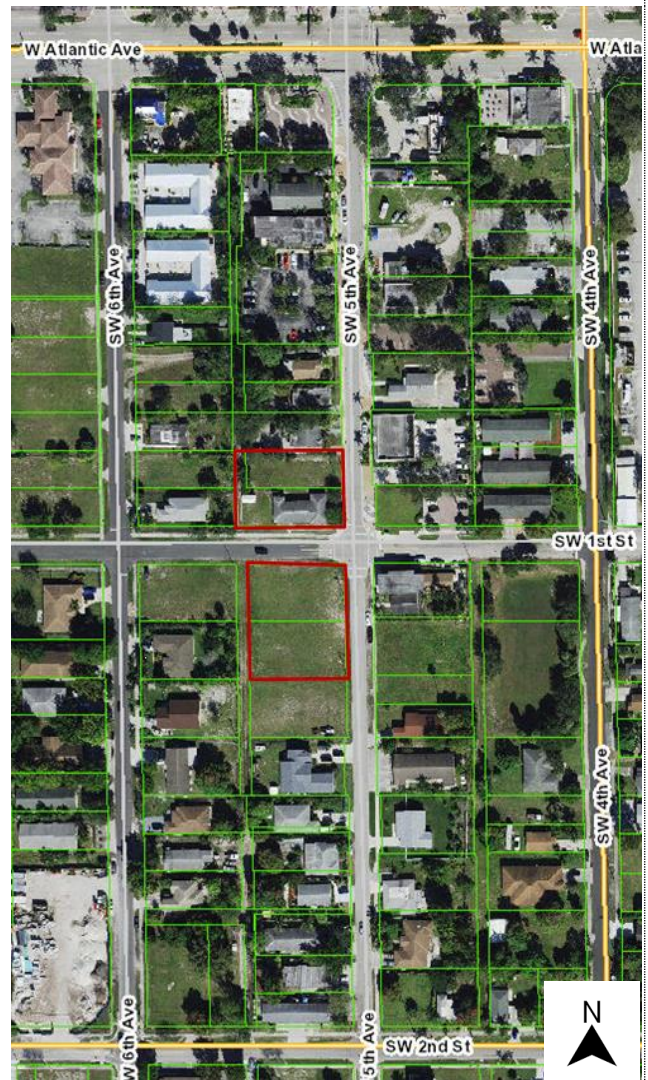
Zoning: CF (Community Facilities)

Adjacent Zoning:

- North South and East: Central Business District (CBD): West Atlantic Neighborhood Sub-district
- East: CBD (Central Business District)
- West: RM (Medium Density Residential)

Existing Land Use: Community Church and Vacant Land Vacant

Proposed Land Use: Community Church



Background

Located on northwest corner of SW 1st Street and SW 5th Avenue, the building where Delray Community Missionary Baptist Church is now located, was constructed in 1960 and was originally utilized as a retail store. In 1968, an addition was constructed to the rear of the structure. In the early 1980's, the retail store changed use to operate as a church.

In 1989, the church acquired Lots 9 and 10, which are vacant on the southwest corner of SW 1st Street and SW 5th Avenue. In 1997, the lot north of the existing church was purchased. The church owns all the properties outlined in red in the above map, including a portion of an alley. A Unity of Title was recorded on December 7, 2022, unifying all the properties (88 and 94 SW 5th Avenue and the two lots south of SW 1st Street so that it functions as one campus. Since the two parcels are being developed together and sharing the requirements among the two parcels, in the future if the Unity of Title is dissolved, a review of the parcels to assess if they meet the minimum required development standards will be necessitated to ensure that there are no created non-conformities.



The properties have an extensive background with land use history, which includes several zoning changes. In 2005, the City Commission approved the land use of CF. Churches and places of worship are allowed as principal uses in the CF District. A Class V Site Plan Modification was approved on December 10, 2008, to construct a new Sanctuary on the corner of SW 1st Street and SW 5th Avenue. The project was not built, and the approval expired.

Description of Proposal

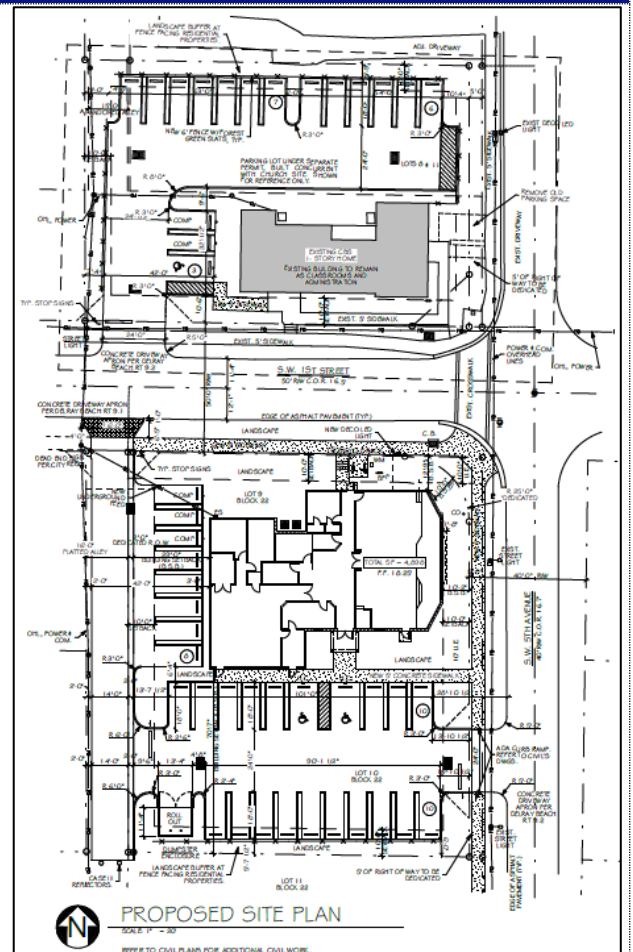
The request is similar to the approved 2008 site plan, with the construction of a new Sanctuary on the vacant land, and associated parking, and landscaping. The existing Sanctuary will be utilized as the Fellowship Hall and classrooms for the new church. More specifically, the request includes the following:

88 & 94 SW 5th Avenue –

- Conversion of the church building into offices and church classrooms;
- Provision of a parking area to the north of the building with access from SW 1st Street;
- Extensive landscaping throughout the site primarily adjacent to SW 5th Avenue and SW 1st Street, as well as the new parking islands.

Vacant Parcels -

- Construction of a one-story 4,898 square foot building to include a Sanctuary, Offices, Nursery, and a Multi-Purpose Room for Children's Worship;
- Parking area to the south of the building with access both from SW 5th Avenue and the alley, with additional parking spaces along the alley;
- Extensive landscaping throughout the property, primarily adjacent to SW 1st Street and SW 5th Avenue, as well as the new parking islands.



Review and 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 applicable Required Findings of LDR Section 3.1.1 are provided throughout the following report sections.

Section 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 Designation of CC and is zoned CF, which is a compatible implementing zoning district for the land use designation. The Floor Area Ratio (FAR) for CC is 3.0, whereas 0.24 is proposed on the site. The one-story church is consistent with the CF zoning district, which allows for facilities provide to serve the public, and private purposes, such as religious.

Section 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.

Water and Sewer: Connections will be made to existing water and sewer lines within the adjacent rights-of-way. 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.

Drainage: A drainage system exists on SW 1st Street.

Transportation: A Traffic Performance Standards (TPS) letter has been provided by Palm Beach County indicating the project meets the requirements Palm Beach County Traffic Performance Standards The provided traffic impact analysis estimates 34 new daily trips. The TPS was conducted with the request of 6,934 square foot church, which has now been reduced to 4, 898 square feet.

Solid Waste: The new church is adding 4,898 SF. The increase of square footage produces an additional 8.6 tons of solid waste per year. The Solid Waste Authority has indicated that its facilities have sufficient capacity to accommodate all development proposals until 2054.

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.

The applicable subsections of Article 3.2, Performance Standards, are Section 3.2.1, which requires a determination of consistency with the Comprehensive Plan, and Section 3.2.3, which provides standards for site plan actions.

Section 3.2.3, Standards for Site Plan Actions

The following standards are deemed applicable to the request.

- 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.
- F. Property shall be developed or redeveloped in a manner so that the use, intensity, and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable goods and services: are complementary to and compatible with adjacent land uses; and fulfill remaining land use needs.
- H. Consideration shall be given to the effect a development will have on the safety, livability, and stability of surrounding neighborhoods and residential areas. Factors such as but not limited to, noise, odors, dust, and traffic volumes and circulation patterns shall be reviewed and if found to result in a degradation of the-surrounding areas, the project shall be modified accordingly or denied.
- 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.

The proposed improvements have been appropriately sited on the properties, with the design taking advantage of the corner location with the placement of the building at the corner while providing vehicular ingress and egress to the sites from the adjacent rights-of-way, including the alley. There are no specific areas of concern with the overall proposal.

Comprehensive Plan: Neighborhoods, Districts, & Corridors

Objective NDC 1.1 Land Use Designation

Establish compatible land use arrangements using land use categories appropriate for the diverse and different neighborhoods, districts, and corridors throughout Delray Beach.

Policy NDC 1.1.2

Provide a complementary mix of land uses, including residential, office, commercial, industrial, recreational, and community facilities, with design characteristics that provide: Similar uses, intensity, height, and development patterns facing each other, especially in residential neighborhoods. Uses that meet the daily needs of residents. Public open spaces that are safe and attractive.

Policy NDC 1.1.14

Continue to require that property be developed or redeveloped or accommodated, in a manner so that the use, intensity and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable goods and services; are complementary to and compatible with adjacent land uses; and fulfill remaining land use needs.

Objective NDC 1.6 Community Facility Land Use Designation

Provide a full range of local or regional community-based uses primarily intended to serve the public by appropriately applying the Community Facilities land use designation.

Housing

Policy HOU 1.7.2

Take a leadership role in developing a mutually responsive communications network among City agencies, neighborhood groups, residents, community institutions and businesses to identify neighborhood concerns and to address them openly, thoughtfully, and fairly.

Places of worship are common in neighborhood corridors as the surrounding community usually attends worship services close to home. The growth of the church is to expand the needs of an increasing congregation and accommodate separate rooms for age-appropriate care during worship service hours. Most worship institutions hold services on the weekends and may have a gathering where the fellowship hall is used for dinners or study groups during the week. Special occasions such as weddings and funerals are also hosted.

Section 3.1.1(D), Compliance with the LDRs

Whenever an item is identified elsewhere in these Land Development Regulations (LDRs), it shall specifically be addressed by the body taking final action on a land development application/request. Such items are found in Section 2.4.5 and in special regulation portions of individual zoning district regulations.

LDR Section 4.4.21 Community Facilities (CF) District

The Community Facilities (CF) District is a special purpose zone district primarily, but not exclusively, intended for locations at which facilities are provided to serve public, semi-public, and private purposes. Such purposes include governmental, religious, educational, health care, social service, and special facilities. The applicant is proposing a sanctuary and associated parking and landscaping. The applicable Regulations are outlined below.

Applicable Regulations

Standard/Regulation	Review
CF Development Standards 4.4.21(F)(1)	<i>The development standards set forth in Section 4.3.4 shall apply.</i> The development standards associated with the subject improvements have been met.
Special regulations 4.4.21(H)(1)	<p>Requirement: <i>the perimeter setback area, when provided, shall be a landscaped area within which no paving shall be allowed except for driveways and walkways leading to structures on the premises. Such driveways and walkways shall be generally perpendicular to the property line.</i></p> <p>Provided: The perimeter landscaping has been provided on the existing site and the proposed sanctuary.</p>
4.4.21(H)(2)	<p>Requirement: <i>When this zone district is adjacent to residential zoning, the perimeter landscape area should be increased to a depth of 15 feet; or, as an alternative, either a wall, decorative fencing, or hedging should be installed for aesthetic and buffer purposes.</i></p> <p>Provided: The property to the north adjacent to Central Business District (CBD) is providing a decorative fence and the new construction is proposing a parking lot which is separated by the alley and a drive isle. The landscape buffer has been provided.</p>
4.4.21(H)(3)	<p>Requirement: <i>For CF zoned properties located within the West Atlantic Avenue Redevelopment Area, a minimum of ten percent non-vehicular open space shall be provided. Notwithstanding the provisions of this section, the body acting upon a development application may require additional open areas, including but not limited to courtyards, plazas, and landscaped setbacks, in order to add interest and provide relief from the building mass. All landscape requirements for parking lots and buffering of residential properties, pursuant to Sections 4.6.5 and 4.6.16, shall apply.</i></p> <p>Provided: A combined 31.3% open space is proposed between the two sites.</p>
Lighting, Cutoff luminaire required LDR Section 4.6.8(2)	<p>Requirement: all perimeter exterior lighting shall be full cutoff luminaries to minimize spillover on adjacent properties...to decrease urban glow, no luminaries shall be directed upwards.</p> <p>Provided: The proposed foot candles are within the permitted minimum and maximum ranges for commercial buildings and parking lots.</p>
Off Street Parking, Requirements for commercial uses LDR Section 4.6.9(C)(3)(d)	<p>Requirement: <i>The required parking for a church is one space for every three seats provided in the sanctuary. Additional parking is not required for other uses on the church property (e.g., Sunday School, Day Care, Preschool, etc.) when such uses are operated as a part of, under the auspices of, the Church.</i></p> <p>Provided: Forty-four parking spaces are required and forty-four have been provided within the unified property.</p>

Dedications

LDR Section 5.3.1

Requirement: *Right-of-way dimensions and dedications, whether public or private, shall be consistent with Table MBL-1 "Street Network and Classification and Improvements" of the Mobility Element, providing for coordinated rights-of-way dedications with the Florida Department of Transportation and Palm Beach County.*

Provided: A two-foot alley dedication along SW 1st Street, five-foot Right-of-Way dedication on SW 5th Avenue and a corner radius on the corner of SW 1st Street and SW 5th Avenue shall be approved by the City Commission and recorded with Palm Beach County Clerk of Court prior to building permit issuance.

Review and Analysis: Landscape Plan

LDR Section 2.4.5(H)(5), Landscape Plan 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.

Pursuant to LDR Section 4.6.16(C)(1)(a), prior to the issuance of a building permit for a structure or a paving permit, compliance with the requirements of LDR 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 plan was reviewed by the Senior Landscape Planner and found to be in compliance. The required landscaping is provided on the unified sites. More than 50% of the trees are Native trees, and the proper landscape islands are provided along with the shrubs and ground cover.

Review and 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.

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.*

Consideration of the minimum requirements is provided throughout the review below.

(E), Criteria for board action

The following criteria shall be considered, by the Site Plan Review and Appearance Board or Historic Preservation Board, in the review of plans for building permits. If the following criteria are not met, the application shall be disapproved.

- 1. The plan or the proposed structure, is in conformity with good taste, good design, and in general contributes to the image of the City as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas, and high quality.*
- 2. The proposed structure, or project, is in its exterior design and appearance of quality such as not to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.*
- 3. The proposed structure, or project, is in harmony with the proposed developments in the general area, with the Comprehensive Plan, and with the supplemental criteria which may be set forth for the Board from time to time.*

The proposed church is 21 feet 10 inches to the roof height with the Spire at 35 feet 3 inches. A spire is a common element seen mostly on churches as an architectural feature to make the building more appealing. The spire is usually elongated and slender in form on the roof that rises above pointing up toward the sky. The roof is Black/Grey shingles, the body of the church in Neutral Ground and Urban Putty. The windows are on all four elevations and the entrances on the south and north elevations powder whitecoat white. The church entrance is on the north elevation facing the parking lot. A church is a community gathering place and is a popular building in a residential neighborhood. The proposed building is in good taste, good design and generally contributes to the image of the City. The exterior design will blend in with the neighborhood and not depreciate in appearance and value and is in harmony with the Comprehensive Plan by providing a safe place for individuals to visit. The proposed sign is under separate permit.



Board Action Options

- A. Move **approval** of the Class V Site Plan (2020-182), Landscape Plan, and Architectural Elevations for the **Delray Community Missionary Baptist Church**, 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 (2020-182), Landscape Plan, and Architectural Elevations for the **Delray Community Missionary Baptist Church**, 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 request for the Class V Site Plan (2020-182), Landscape Plan, and Architectural Elevations for the **Delray Community Missionary Baptist Church**, 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.

Courtesy Notices

Courtesy Notices were sent to:

- Carver Square
- Ebony Delray Beach
- Lincoln Park
- Merritt Park
- Atlantic Park Gardens