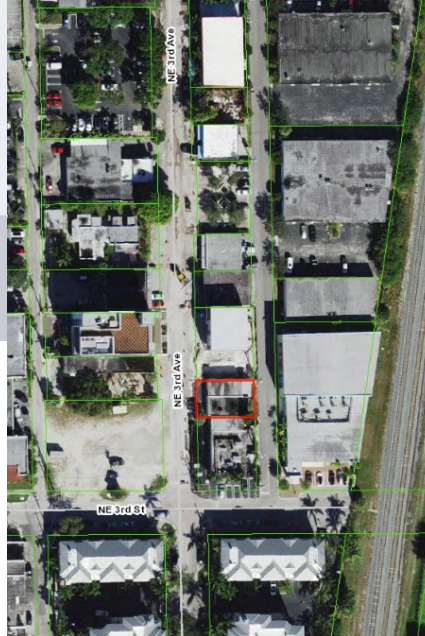




# DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING  
CITY ADVISORY BOARD MEMO

## 319 NE 3<sup>rd</sup> Avenue – Sushi Restaurant In-lieu Parking Request



**Application Type:**  
Class III Site Plan

**Address/Location:**  
319 NE 3<sup>rd</sup> Avenue

**Zoning District/ Overlay:**  
CBD – Central Business District / Railroad Corridor  
**FLUM:**  
CC – Commercial Core

**Agent:**  
Jeff Costello, JC Planning Solutions  
[jcostello@jcplanningsolutions.com](mailto:jcostello@jcplanningsolutions.com)

**Project Planner:**  
Julian Gdaniec, Senior Planner,  
[gdaniec@mydelraybeach.com](mailto:gdaniec@mydelraybeach.com)

**Advisory Board Review Date(s):**  
CRA Board: Yes  
DDA Board: Yes  
PMAB: Yes

**Final Action Review Date:**  
SPRAB: TBD  
City Commission: TBD

**Attachments:** Architectural Plans; In-Lieu request justification and project narrative; TPS letter;

**NOTE:** This item is under review and is subject to changes upon further analysis based on comments made by Staff according to the City's Land Development Regulations (LDR) and other department technical reviews. Any comments or objections shall be presented to the approving body during the scheduled meeting or discussed with the project planner in advance

A Class III Site plan modification application (2022-268) has been submitted for the referenced property, which includes:

Major modifications to the exterior design, an addition to the existing structure to add a habitable second floor rooftop terrace, a change of use to convert the existing industrial building into a restaurant, and a request for payment in lieu of parking.

Specifically, the in-lieu request is for 12 spaces. The proposed use generates 16 required spaces, and the applicant has been credited with 4 existing non-confirming spaces currently located in the front setback of the property that are required to be removed in order to comply with CBD streetscape requirements. As such, because no additional spaces are being provided on site, the in-lieu request is for 12 spaces. It is also important to note that the applicant is providing two on-street parking spaces on 3<sup>rd</sup> Avenue, however these do not count towards required parking.

PARKING DATA:			
	REQUIRED	EXISTING	PROPOSED
<b>RESTAURANT:</b>			
FIRST FLOOR	1,832 SF (6 SP/1000 sf) =	11 SPACES	
SECOND FLOOR	850 SF (6 SP/1000 sf) =	5 SPACES	
		16 SPACES	
(4) SPACES PROVIDED / EXISTING-CREDIT =		- 4 SPACES	
		12 SPACES REQUEST IN-LIEU	
<b>IN-LIEU ALLOWANCE:</b>			
100% FOR CHANGE OF USE () =		11 SPACES (IN-LIEU)	
70% FOR NEW AREA =		1 SPACE (IN-LIEU)	
TOTAL		12 SPACES MAX (IN-LIEU)	
<b>BICYCLE PARKING DATA:</b>			
	REQUIRED	EXISTING	PROPOSED
1 SP/2500 sf	1	0	2

---

There are available parking facilities in the general vicinity including two public lots on 3<sup>rd</sup> Avenue, and on-street parking along both 3<sup>rd</sup> Avenue and 3<sup>rd</sup> Street.

The subject property is located in area 4, as defined on the in-lieu fee area map. A payment of \$4,600 per space will be required, resulting in a total fee payment of \$55,200 if the request is approved.

Approval of the request for in-lieu parking by City Commission, subsequent to a recommendation by PMAB, is required in order for the Class III Site Plan modification to move forward for approval.



# CLASS III SITE PLAN MODIFICATION

## 319 NE 3RD AVE

### DELRAY BEACH, FL 33483



COLOR RENDERING A

NOT TO SCALE



COLOR RENDERING B

NOT TO SCALE

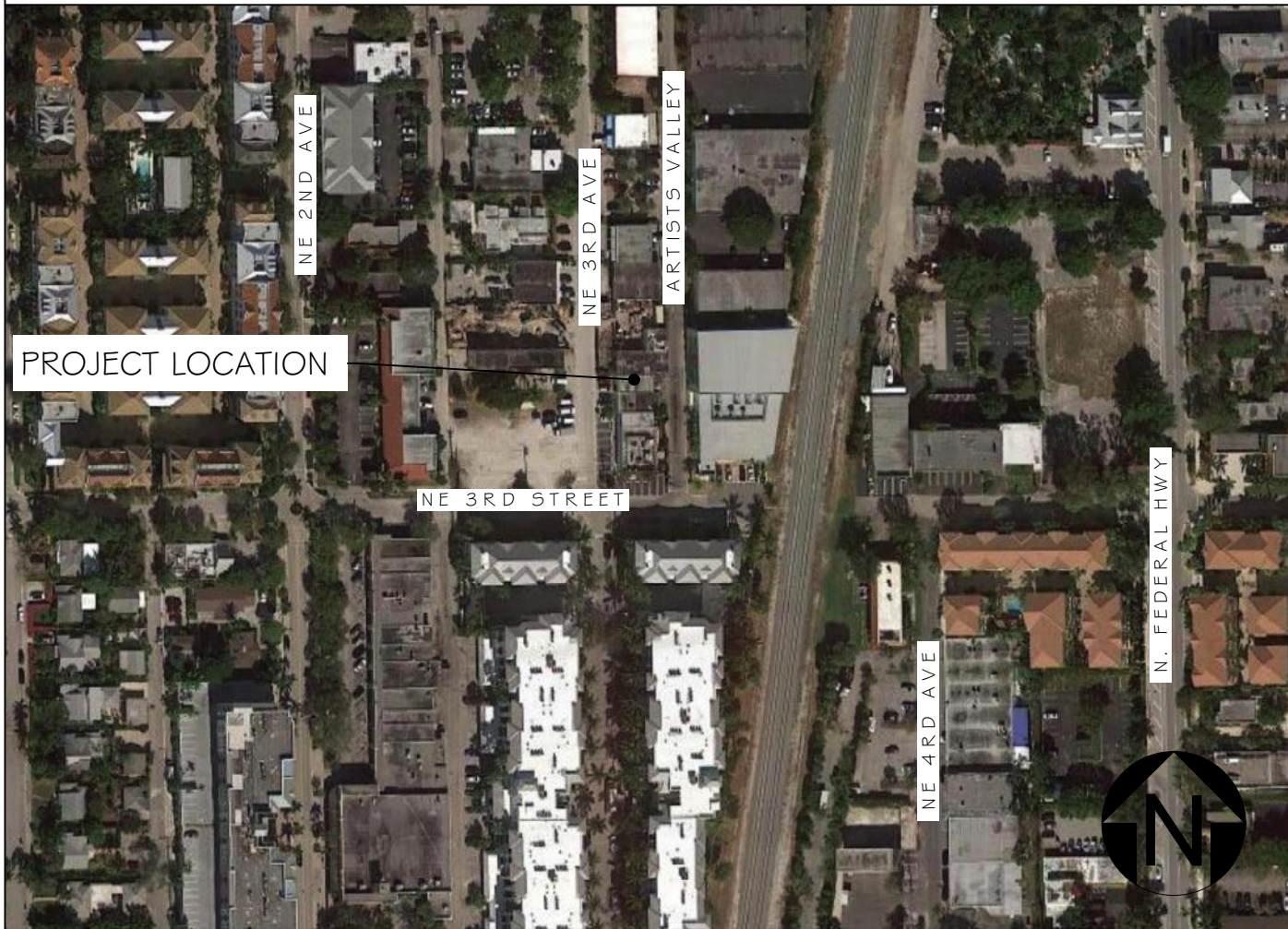
#### WALL LEGEND:

	EXISTING CMU WALL
	EXISTING INTERIOR WALL
	EXISTING FIRE RATED PARTITION WALL
	CMU WALL
	CMU WALL, W/ ONE SIDE 1x PT FURRING & GYPSUM BOARD
	CMU WALL, W/ ONE SIDE 2x PT FURRING & GYPSUM BOARD
	CMU WALL, W/ ONE SIDE 1-5/8" MTL. STUD & GYPSUM BOARD
	PARTITION WALL (PARTTY WALL)- CMU WALL, W/ 1-5/8" MTL. STUD, (SFAB) & 5/8" GYPSUM BOARD ON EACH SIDE. NOTE: FIRE RATED PARTITION WALL
	PARTITION WALL (PARTTY WALL)- CMU WALL, W/ 2x PT FURRING, (SFAB) & 5/8" GYPSUM BOARD ON EACH SIDE. NOTE: FIRE RATED PARTITION WALL
	INTERIOR WALL
	INTERIOR FIRE RATED PARTITION WALL

#### ABBREVIATIONS:

@	AT	H.C.	HOLLOE CORE
ACT	ACOUSTICAL TILE	H.M.	HOLLOW METAL
ADJ.	ADJUSTABLE	H.V.A.C.	HEATING, VENTILATION, & AIR
A.B.	ANCHOR BOLT		CONDITIONING
A.C.	AIR CONDITIONING	INSUL.	INSULATION
AFF	ABOVE FINISH FLOOR	INV.	INVERT
ALUM.	ALUMINUM	LAM.	LAMINATED
ALT.	ALTERNATE	MAT.	MATERIAL
BD.	BOARD	M.C.	MECHANICAL CONTRACTOR
BLDG.	BUILDING	M.H.	MAN HOLE
B.M.	BENCH MARK	MLDG.	MOLDING
BRG.	BRIDGING OR BEARING	MTL. MET.	METAL
C/C	CENTER TO CENTER	MIN.	MINIMUM
CL	CENTER LINE	M.T.	METAL THRESHOLD
CAB.	CABINET	N.I.C.	NOT IN CONTRACT
C.B.	CATCH BASIN	NO.	NUMBER
C.I.	CAST IRON	NOM.	NOMINAL
CER.	CERAMIC	O.C.	ON CENTER
CLG.	CEILING	OPG.	OPENING
C.O.	CLEAN OUT	O.W.	OPEN WEB
CONC.	CONCRETE	P.C.	PLUMBING CONTRACTOR
COORD.	COORDINATE	PL	PLATE
COL.	COLUMN	PT.	PRESSURE TREADED
CONT.	CONTINUOUS	P.S.I.	POUNDS PER SQUARE INCH
DET.	DETAIL	R.A.	RETURN AIR
DN.	DOWN	RM.	ROOM
DK.	DECK	REQD	REQUIRED
D.S.	DOWN SPOUT	REIN.	REINFORCING
D.W.	DRY WALL	S.B.	SPALSH BLOCK
DWG.	DRAWING	SCH.	SCHEDULE
E.C.	ELECTRICAL CONTRACTOR	SEC.	SECTION
EL. ELEV.	ELEVATION	S.C.	SOLID CORE
ELEC.	ELECTRICAL	SIM.	SIMILAR
EX/EXIST	EXISTING	S.S.	STAINLESS STEEL
EXP.	EXPOSED OR EXPANSION	S.V.B.	STRAIGHT VINYL BASE
F.E.	FIRE EXTINGUISHER	SPEC.	SPECIFICATION
F.F.	FINISHED FLOOR	T.O.	TOP OF
FIN.	FINISH	T.O.F.	TOP OF FOOTING
FLR.	FLOOR	T.O.P.	TOP OF PLATE
F.S.	FULL SIZE	T.O.S.	TOP OF STEEL
F.T	FOOT OR FEET	TYP.	TYPICAL
FTG.	FOOTING	THK.	THICK OR THICKNESS
G.C.	GENERAL CONTRACTOR	T&G	TOUNGUE AND GROOVE
GL.	GLASS OR GLAZING	U.N.O	UNLESS NOTED OTHERWISE
G.PT.	GLAZED PAINT	V.C.T.	VINYL COMPOSITION TILE
GYP.	GYPSUM	V.C.B.	VINYL COVE BASE
H.B.	HOSE BIB	VIF	VERIFY IN FIELD
HGT.	HEIGHT	W/	WITH
HRD'R	HARDENER	W.I.	WROUGHT IRON
		WD.	WOOD
		W.W.F.	WELDED WIRE FABRIC

#### LOCATION MAP:



PROJECT LOCATION

#### LIST OF DRAWINGS:

CS.1	COVER SHEET
SU.1	SURVEY
SP.1.1	SITE PLAN
SP.1.2	ENLARGED SITE PLAN
LS.1.1	LIFE SAFTEY PLAN
A1.1	AS-BUILT & DEMO PLAN
A1.2	OVERLAY PLAN & EXISTING VIEWS
A1.3	FIRST FLOOR PLAN
A1.4	SECOND FLOOR & ROOF PLAN
A4.1	DEMO ELEVATIONS
A4.2	ELEVATIONS
L1.1	PHOTOMETRIC PLAN

#### DESIGN TEAM:

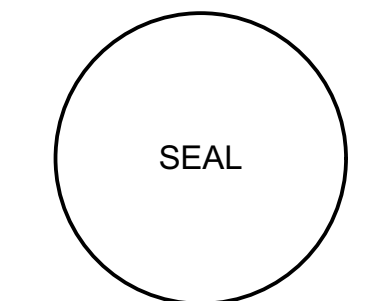
ARCHITECT:	OWNER:
STEVE SIEBERT ARCHITECTURE	9608 LAKE SERENA DR.
466 N. FEDERAL HIGHWAY	BOCA RATON FL 33496
BOYNTON BEACH, FL 33435	
(561) 880-7894	
STEVE@STEVESIEBERT.COM	

#### ARCHITECTURAL SYMBOLS:

	REVISION MARKER		
	ELEVATION MARK		
	ROOM NUMBER		
	DOOR TAG- REFER TO DOOR SCHEDULE		
	WINDOW TAG- REFER TO WINDOW SCHEDULE		
	WALL DETAIL, REFER TO PARTITION DETAILS		
	FIXTURE TAG		
	SECTION LETTER		SECTION LETTER
	WALL SECTION		BUILDING SECTION
	SHEET NUMBER		SHEET NUMBER
	DETAIL NUMBER		
	DETAIL		
	SHEET NUMBER		



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TEXAS 26934

INTERIOR TENANT BUILD-OUT  
**SUSHI RESTAURANT**  
319 NE 3RD AVE  
DELRAY BEACH, FL 33483

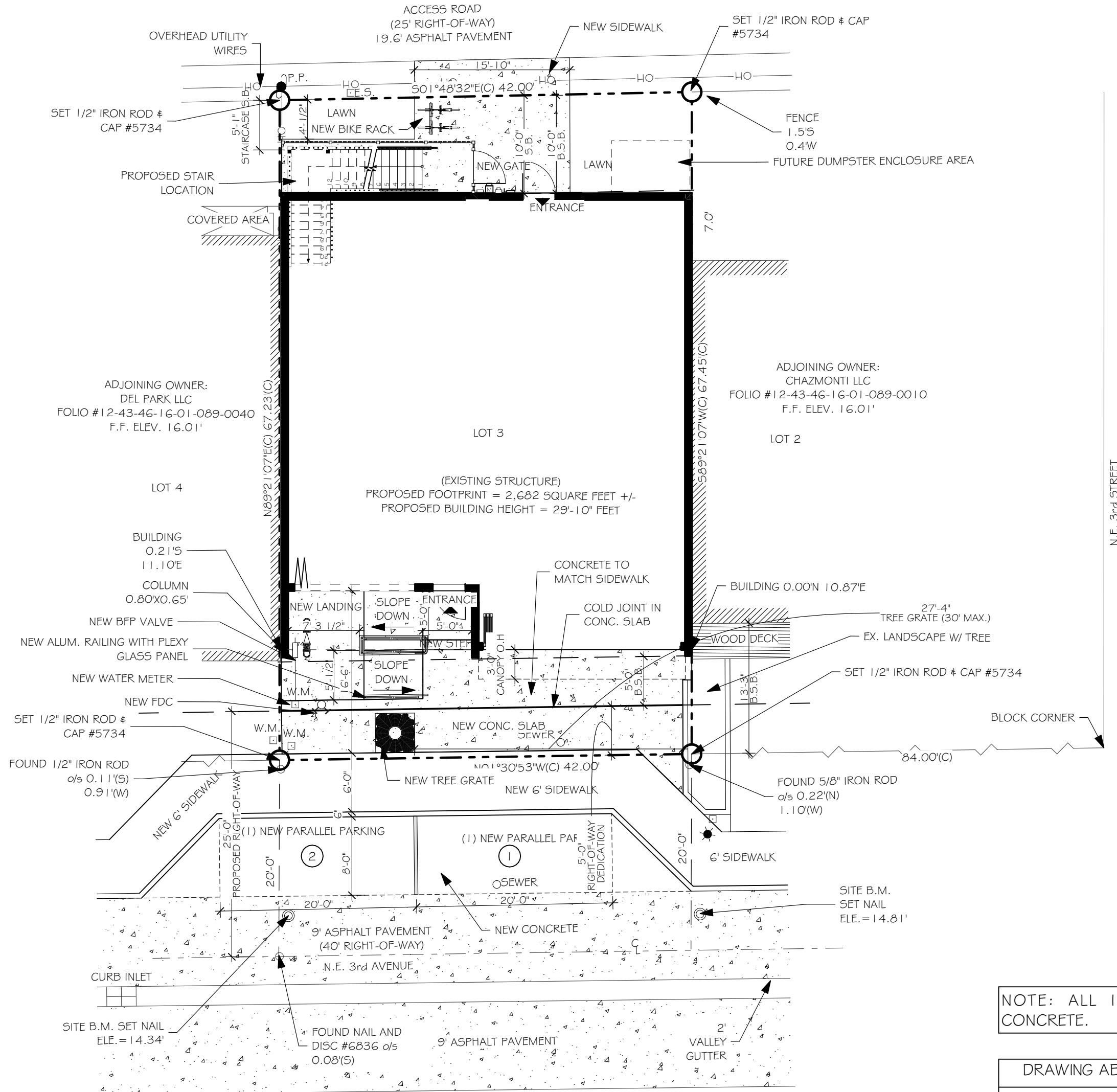
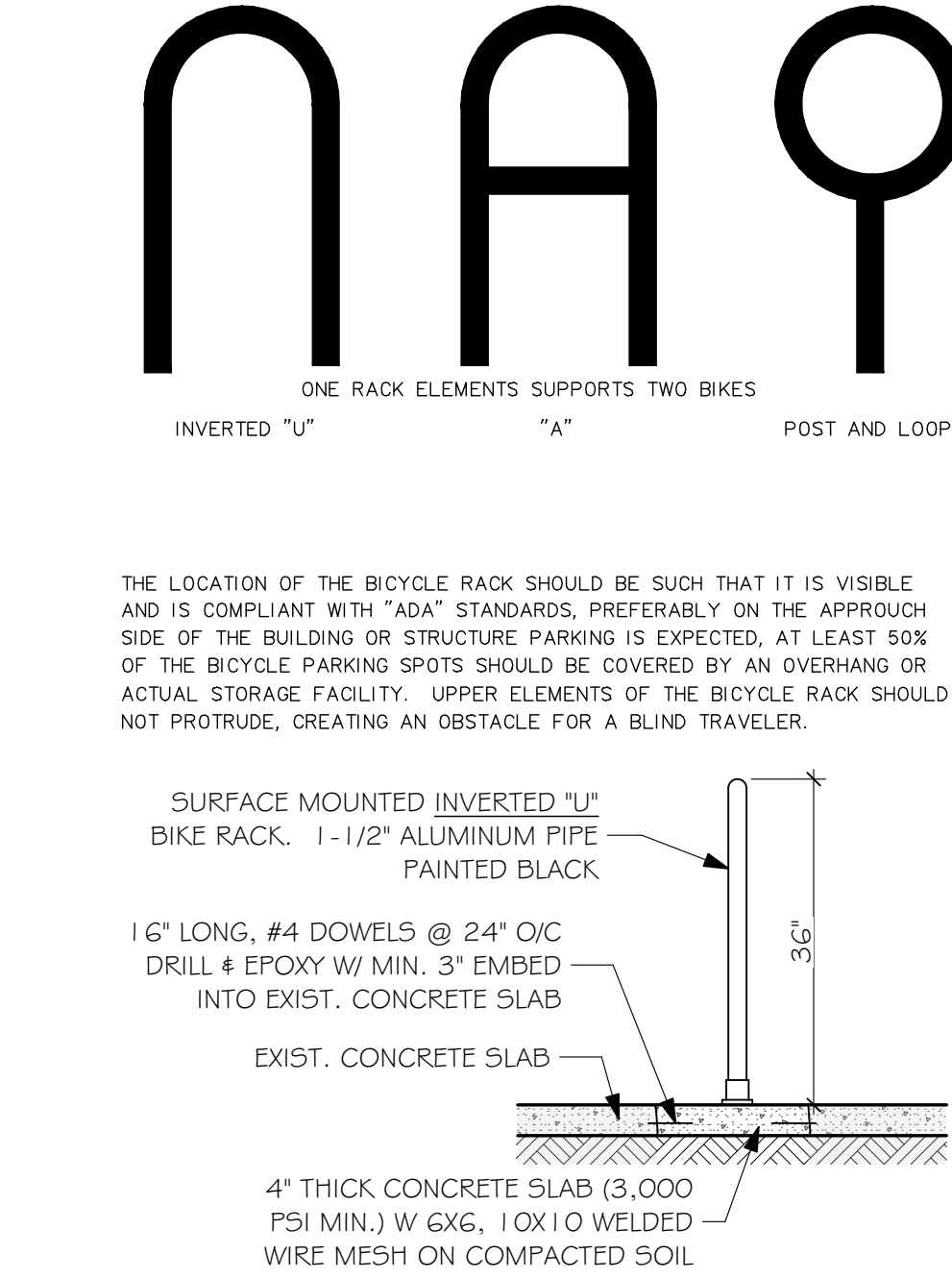
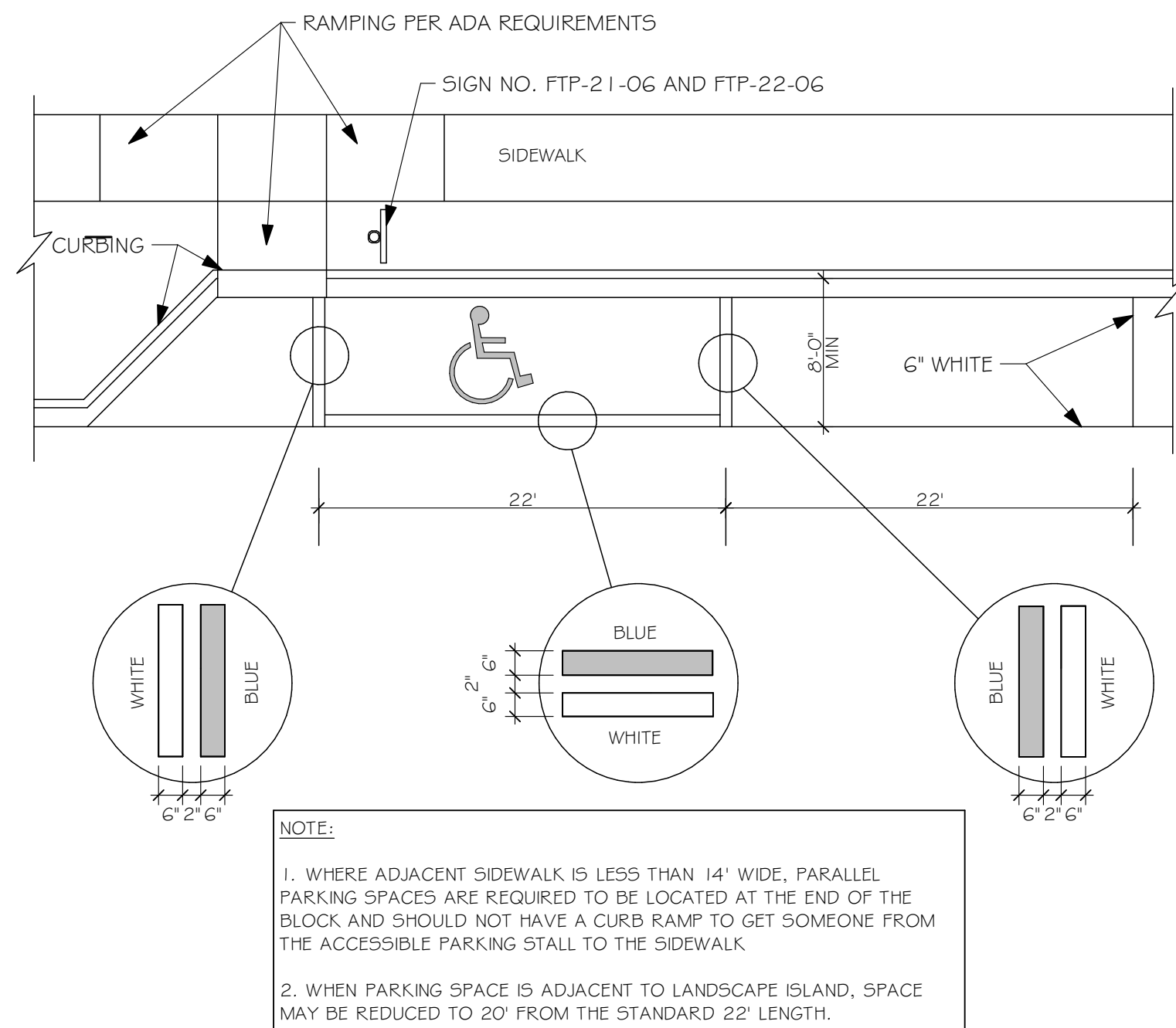
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DATE: 3.20.23  
DRAWN BY: BT/JC  
CHECKED BY: SS  
REVISIONS:

CS.1





NOTE: ALL IMPERVIOUS TO BE LIGHT COLOR CONCRETE.

DRAWING ABBREVIATIONS	
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
L.A.E.	LIMITED ACCESS EASEMENT
L.M.E.	LAKE MAINTENANCE EASEMENT
S.B.	SETBACK
B.S.B.	BUILDING SETBACK
PROP. B.S.B.	PROPOSED BUILDING SET BACK
E.O.W.	EDGE OF WATER
L.B.E.	LANDSCAPE BUFFER EASEMENT
R.O.W	RIGHT OF WAY
CB.	CATCH BASIN

NOTE: ARCHITECT OF RECORD IS NOT RESPONSIBLE FOR ANY SURVEY/CIVIL WORK AND/OR ANY SUCH DRAWINGS THAT ARE INSERTED INTO THIS SET AND/OR LACK THERE OF. THIS INCLUDES BUT IS NOT LIMITED TO THE PROPOSED AND/OR EXISTING CONDITIONS OF GRADING, PARKING, DRIVEWAYS, SEWER LINES, DRAINAGE, FINISH FLOOR ELEVATIONS, PROPERTY LINE LOCATIONS, EXISTING VEGETATION LOCATIONS, AND ETC. ALL FINISH FLOOR ELEVATIONS SHALL BE CONFIRMED BY THE ADJUDICATING CITY OR A LICENSED CIVIL ENGINEER.

DEVELOPMENT STANDARDS PER LDR TABLE 4.4.1.3											
ZONE CBD	MIN. LOT SIZE (SF)	MIN LOT WIDTH (FT)	MIN LOT DEPTH (FT)	MAX LOT COVER (%)	MIN PERIMETER BUFFER (FT)	MIN OPEN SPACE (%)	(EAST)	(NORTH # SOUTH)	(WEST)	MAX BUILDING HEIGHT (FT)	
							MIN FRONT SETBACK (FT)	MIN SIDE STREET (FT)	MIN SIDE INTR. (FT)		MIN REAR SETBACK (FT)
REQUIRED	2,000	20'	NA	NA	NA	N/A	10'-0"	0'-0"	0'-0"	10'-0"	54'-0"
PROVIDED	2,627	42' EX	67'-3" EX.	72%	0	N/A	5'-0" PROPOSED	N/A	0'-0" EXIST.	10'-0" EXIST.	29'-10"

PROJECT DATA:

PROJECT DESCRIPTION:

THIS PROJECT IS AN INTERIOR REMODELING OF AN EXISTING VACANT SPACE IN THE ARTS DISTRICT OF DELRAY BEACH FLORIDA. WORK WILL INCLUDE A NEW INTERIOR LAYOUT FOR A NEW RESTAURANT, THE ADDITION OF A SECOND STORY WITH SAME ACTIVITIES, A FACADE RENOVATION, AND A SITE MODIFICATION CLASS III.

PROJECT INFORMATION:

OWNER: BIG B INVESTMENTS LLC

ADDRESS: 319 NE 3RD AVE  
DELRAY BEACH, 33483

FOLIO: 12-43-46-16-01-089-0030

LEGAL: TOWN OF DELRAY LT 3 BLK 89

FLOOD: X

ZONING AND CODE INFORMATION:

ZONING: CBD-CENTRAL BUSINESS  
OCCUPANCY: BUSINESS  
CONSTRUCTION TYPE: IIIB  
CURRENT USE: OFFICE BLDG-NON MEDICAL  
PROPOSED USE: BUSINESS-RESTAURANT

FLORIDA BUILDING CODE:

FBC-2020 BUILDING CODE, EX. BUILDINGS  
 FBC EC= FLORIDA BUILDING CODE ENERGY CONSERVATION 2020  
 NEC= NFPA 70 2018 EDITION, NATIONAL ELECTRICAL CODE  
 FS= FLORIDA STATUTES  
 FLORIDA FIRE PREVENTION CODE, 6TH EDITION  
 NFPA 101: LIFE SAFETY CODE 2018  
 ACCESSIBILITY CODE: 2018 FLORIDA ACCESSIBILITY CODE

BUILDING DATA:

BUILDING GROUND FLOOR:	1,832 SF
PROPOSED OCC. ROOF DECK:	850 SF
PROPOSED TOTAL SF:	2,682 SF

SITE/LAND DATA:

TOTAL GROSS SITE AREA 2,827 SF (0.0648 ACRE)			
FAR CALC.:	3.0 MAX	.63	.94
MAX. NO. OF STORIES:	4	1	2
MAX. SITE COVERAGE(BLDG.):	N/A	64% (1,808 SF)	65% (1,832 SF)
HARDSCAPE (IMPERMEABLE W/ BLDG):	N/A	87% (2,450 SF)	93% (2,434 SF)
GREEN SPACE (PERMEABLE):	N/A	13% (377 SF)	7% (183 SF)

SETBACKS:

FRONT: (WEST)	10'-0" MIN / 15'-0" MAX	10'	5'
REAR: (EAST)	10'-0" MIN	10'	10'
SIDE: (NORTH)	0'-0"	0'-0"	0'
SIDE (SOUTH):	0'-0"	0'-0"	0'

\* DUE TO 5' RIGHT OF WAY DEDICATION

PARKING DATA:

<u>RESTAURANT:</u>		
FIRST FLOOR	1,832 SF (6 5P/1 000 sf) =	11 SPACES
SECOND FLOOR	850 SF (6 5P/1 000 sf) =	5 SPACES
		16 SPACES

(4) SPACES PROVIDED / EXISTING-CREDIT = - 4 SPACES  
12 SPACES REQUEST IN-LIEU

<u>IN-LIEU ALLOWANCE:</u>	
100% FOR CHANGE OF USE () =	1 1 SPACES (IN-LIEU)
70% FOR NEW AREA =	1 SPACE (IN-LIEU)
TOTAL	1 2 SPACES MAX (IN-LIEU)

BICYCLE PARKING DATA:

ISP/2500 sf	1	0	2
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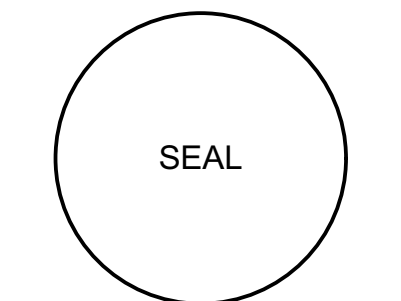
INTERIOR TENANT BUILD-OUT

**SUSHI RESTAURANT**

319 NE 3RD AVE  
DELRAY BEACH, FL 33483



**STEVE SIEBERT  
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TEXAS 26934


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REVISIONS:	

## SP1.1





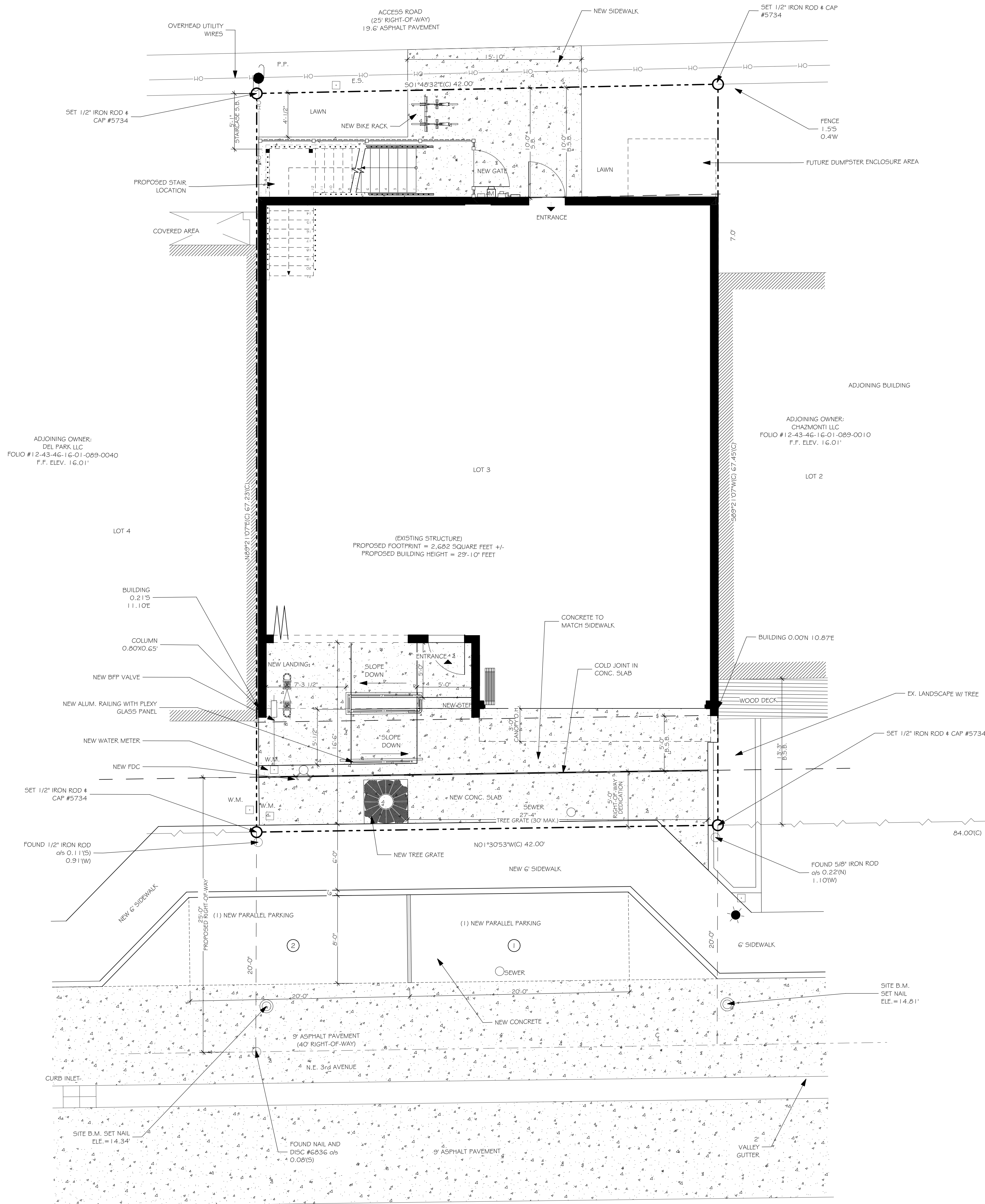
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## SP1.2



# SITE PLAN

SCALE: 1" = 5'

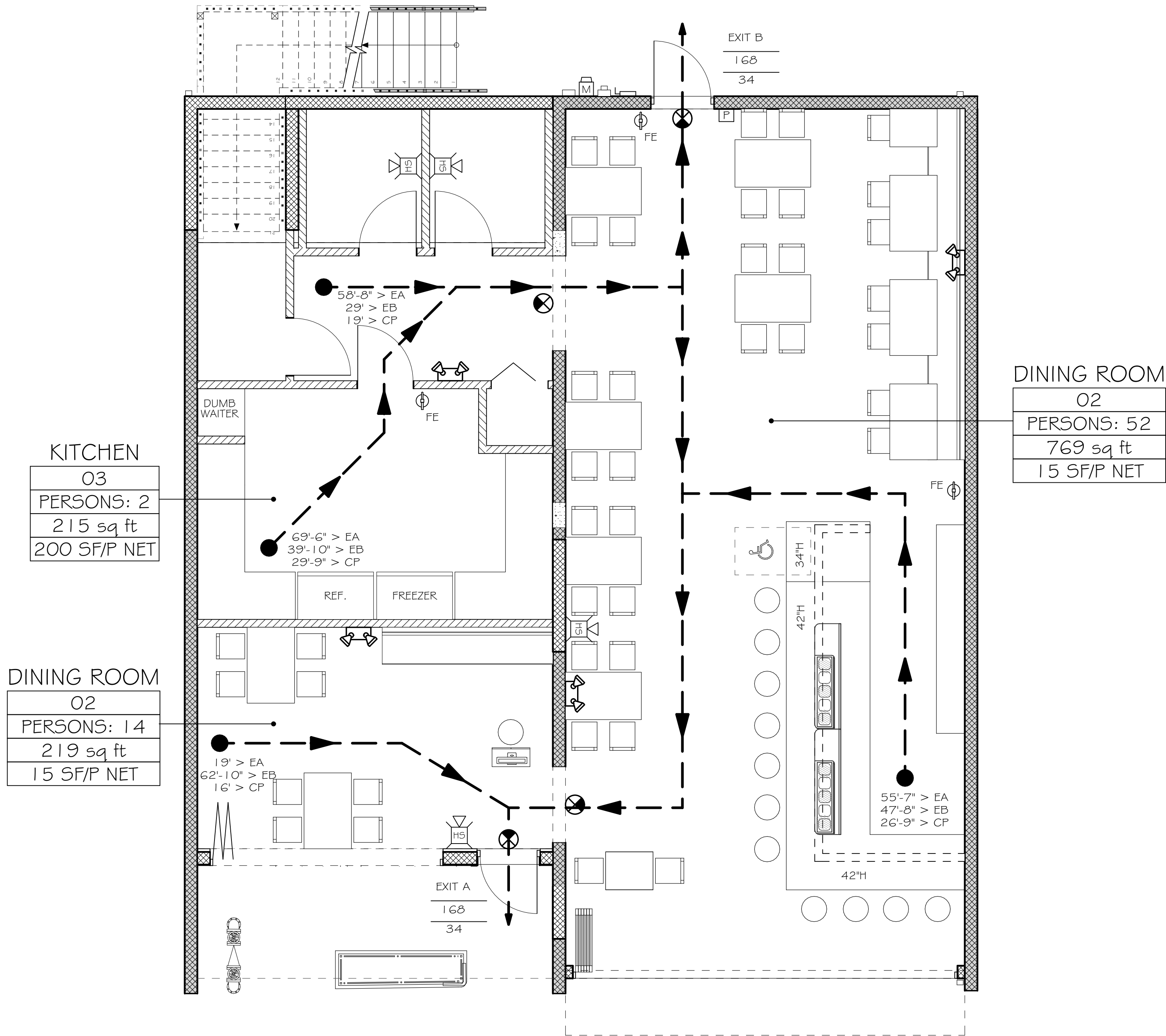


Volumes/SSA Projects/Active Projects/21-391 319 NE 3rd Ave. Sushi bar restaurant/Sushi NE. 3rd Ave Delray.pln



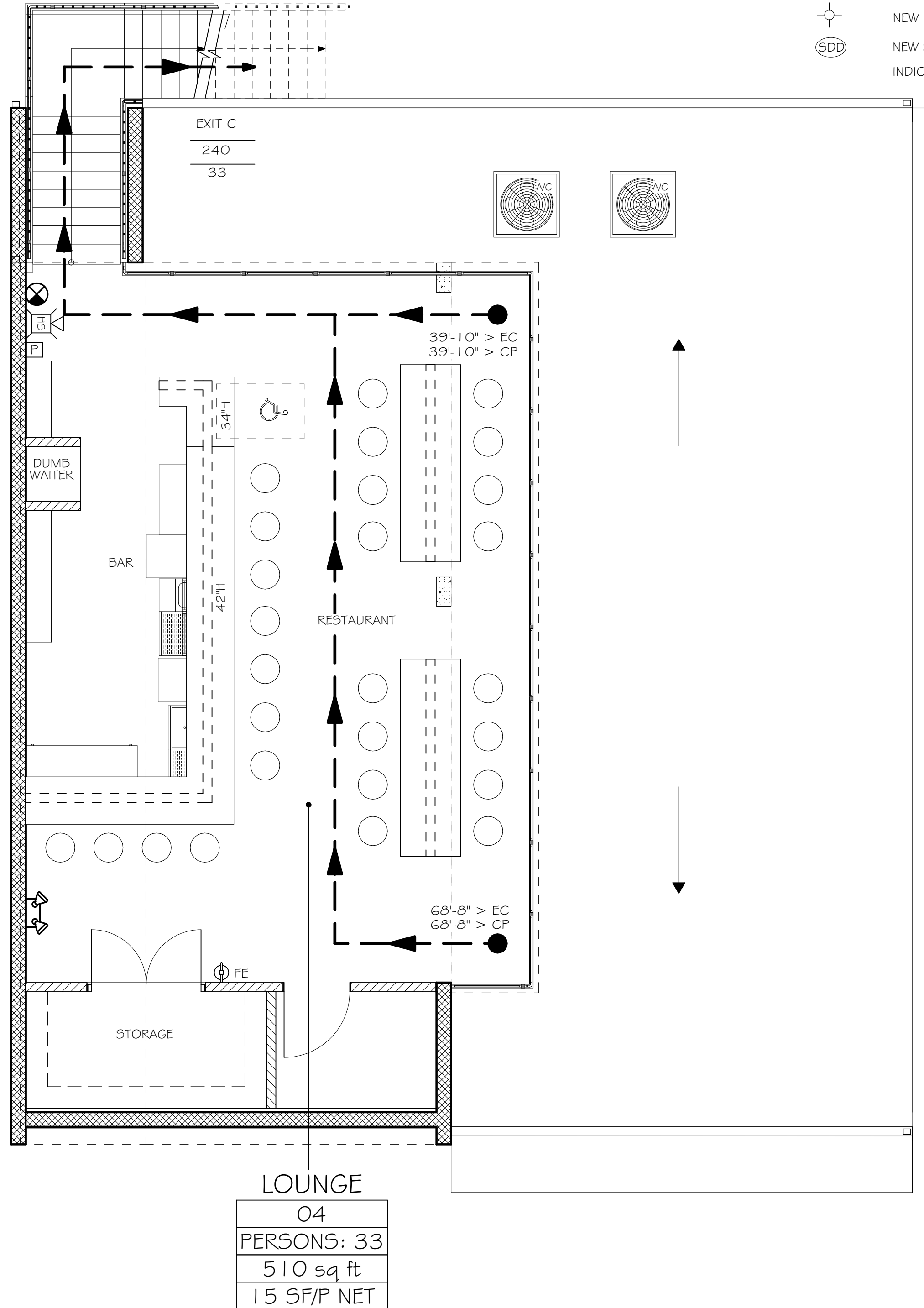
1st FLOOR LIFE SAFETY PLAN

SCALE: 1/4" = 1'-0"



2nd FLOOR LIFE SAFETY PLAN

SCALE: 1/4" = 1'-0"

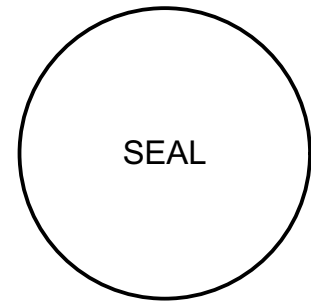


- LEGEND
- EMERGENCY BATTERY WALL PACK W/ TWIN HEADS (MIN. 90 MINUTES BATTER LIFE)
  - EXIT LIGHT FIXTURE, DIRECTION ARROWS AS SHOWN
  - EXIT LIGHT FIXTURE AND EMERGENCY LIGHT COMBO (MIN. 90 MINUTES BATTER LIFE)
  - FIRE EXTINGUISHER (3-PROVIDED) FEC WITH 5LB ABC. (1 OLB IN KITCHENS) LOCATION SHALL BE APPROVED BY FIRE MARSHALL PRIOR TO INSTALLATION. REFER TO NFPA 10
  - DIRECTION OF EXIT OR EXIT ACCESS
  - PATH OF TRAVEL
  - ROOM = ROOM NAME
  - 04 = ROOM NUMBER
  - 1 = OCCUPANT LOAD
  - XX SF = ROOM AREA
  - XXX GSF/P = OCCUPANT LOAD FACTOR
  - EO# = EXIT I.D. NUMBER
  - MAX = MAX. OCCUPANT LOAD OF EXIT
  - OC = OCCUPANTS SERVED BY EXIT
  - XX>EO1 = MAX. DISTANCE TO EXIT 1
  - XX>EO2 = MAX. DISTANCE TO EXIT 2
  - XX>CP = COMMON PATH OF TRAVEL
  - FIRE ALARM (HORN + STROBE)
  - FIRE ALARM (FULL-STATION)
  - FIRE ALARM (HORN)
  - FIRE ALARM (STROBE)
  - NEW FIRE SPRINKLER HEAD (TURNED DOWN)
  - NEW SMOKE DUCT DETECTOR
  - INDICATES EXISTING TO REMAIN



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INTERIOR TENANT BUILD-OUT  
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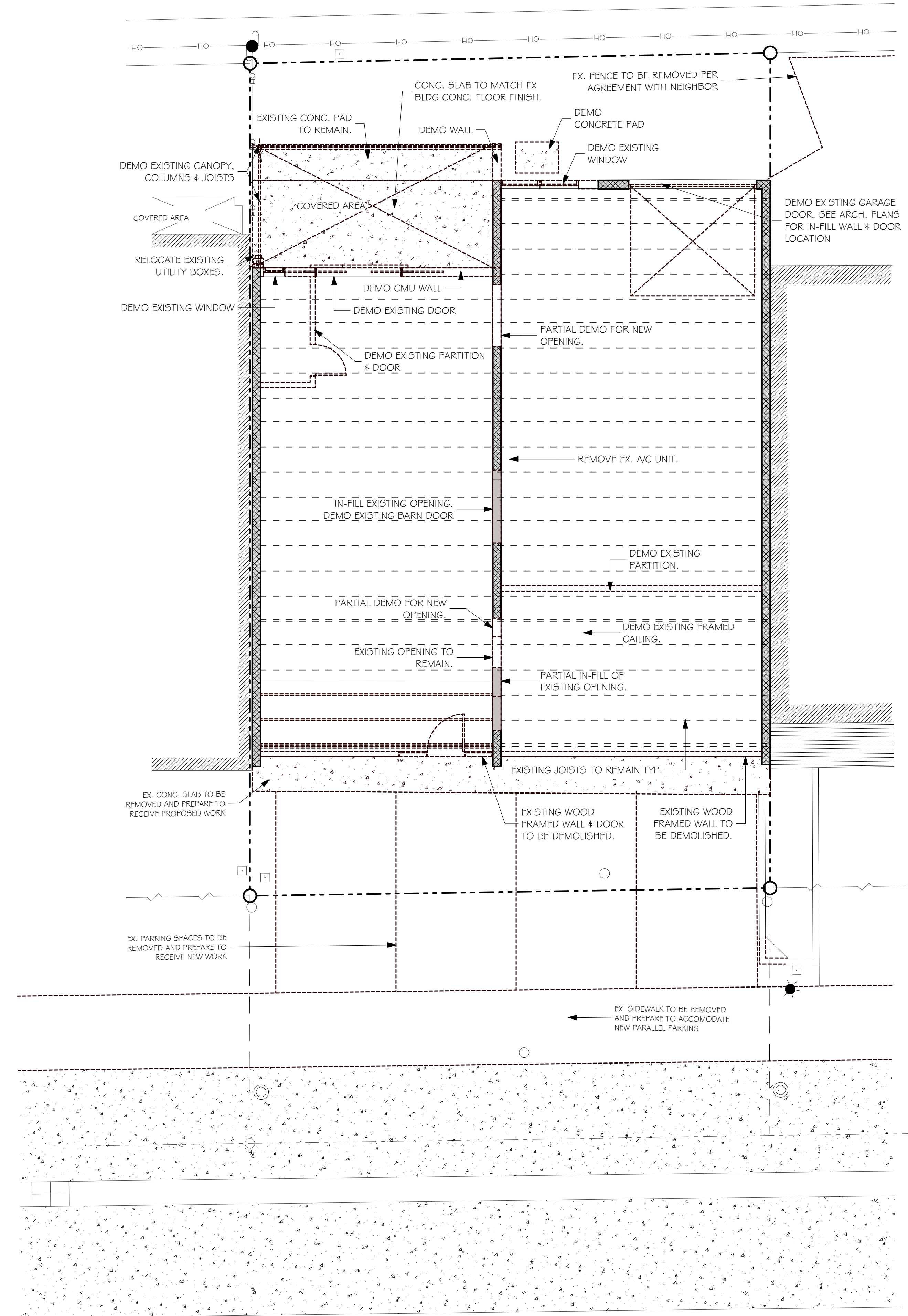
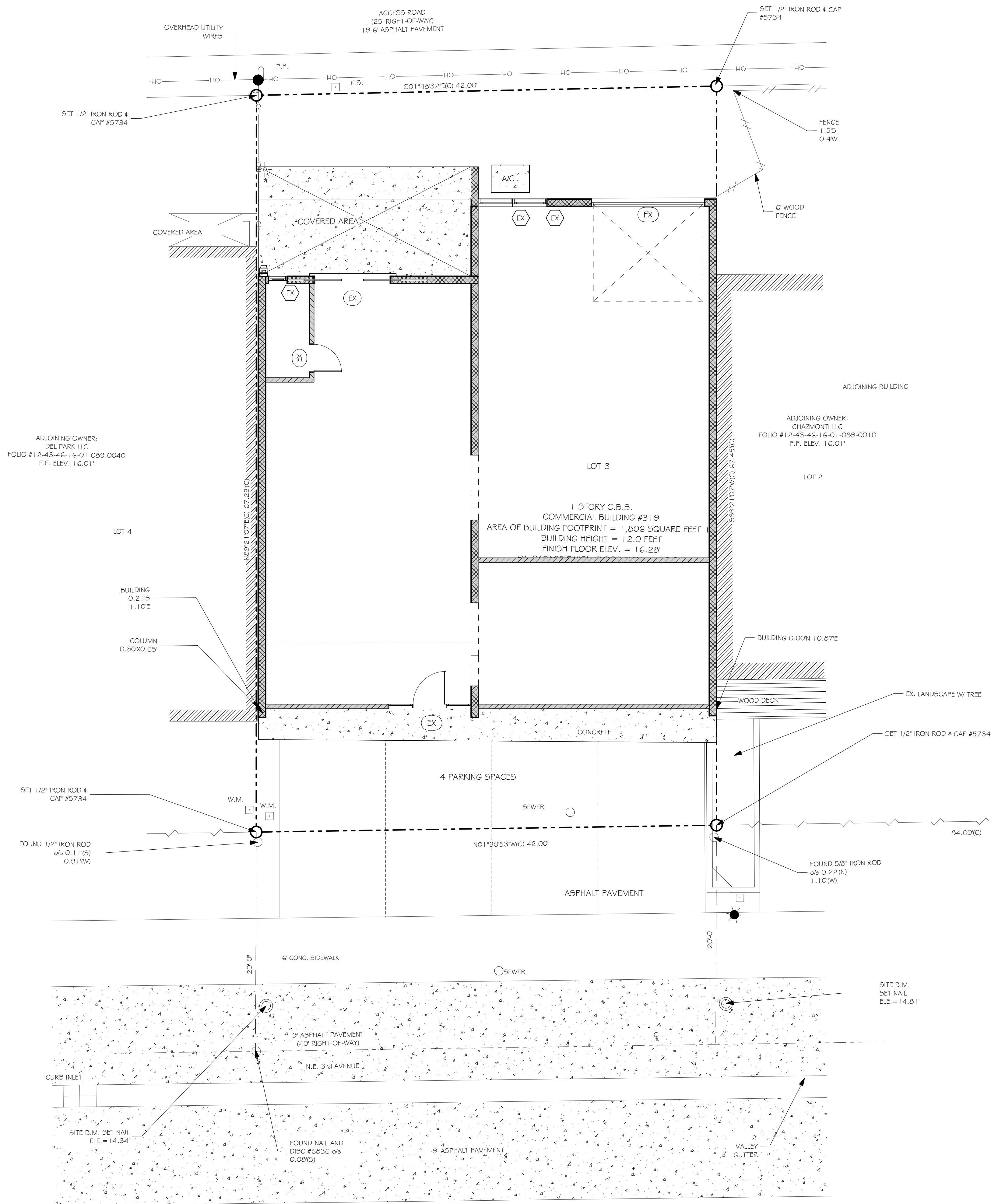
SCHEMATIC DESIGN

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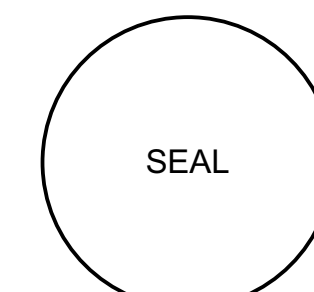
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CHECKED BY: SS  
REVISIONS:

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FLORIDA	AR0017834
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INTERIOR TENANT BUILD-OUT

---

**SUSHI RESTAURANT**

319 NE 3RD AVE  
DELRAY BEACH, FL 33483

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REVISIONS:	

## A1.1





EXISTING WEST SIDE

NOT TO SCALE



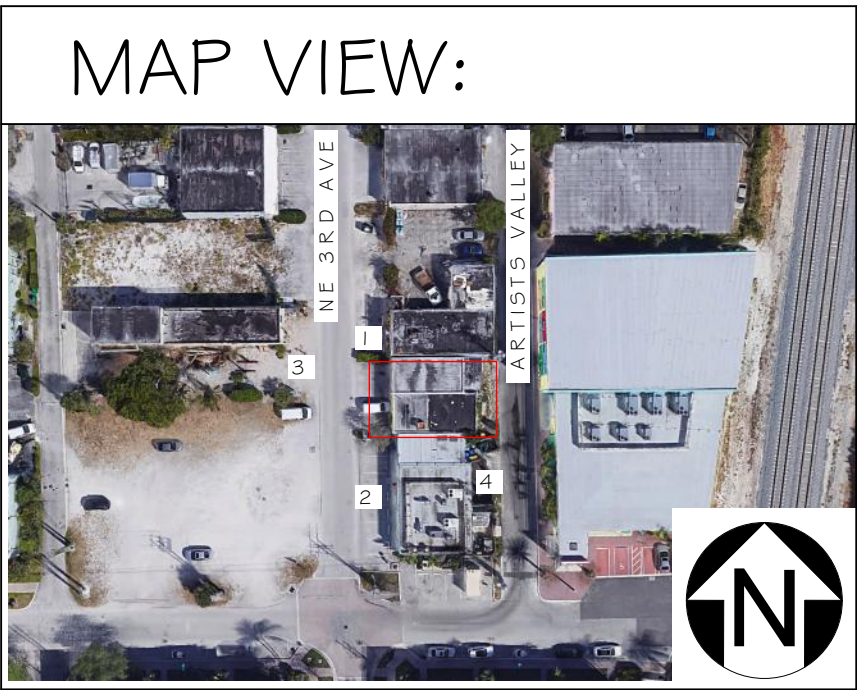
EXISTING WEST SIDE

NOT TO SCALE



EXISTING WEST SIDE

NOT TO SCALE



1

NOT TO SCALE



4

NOT TO SCALE



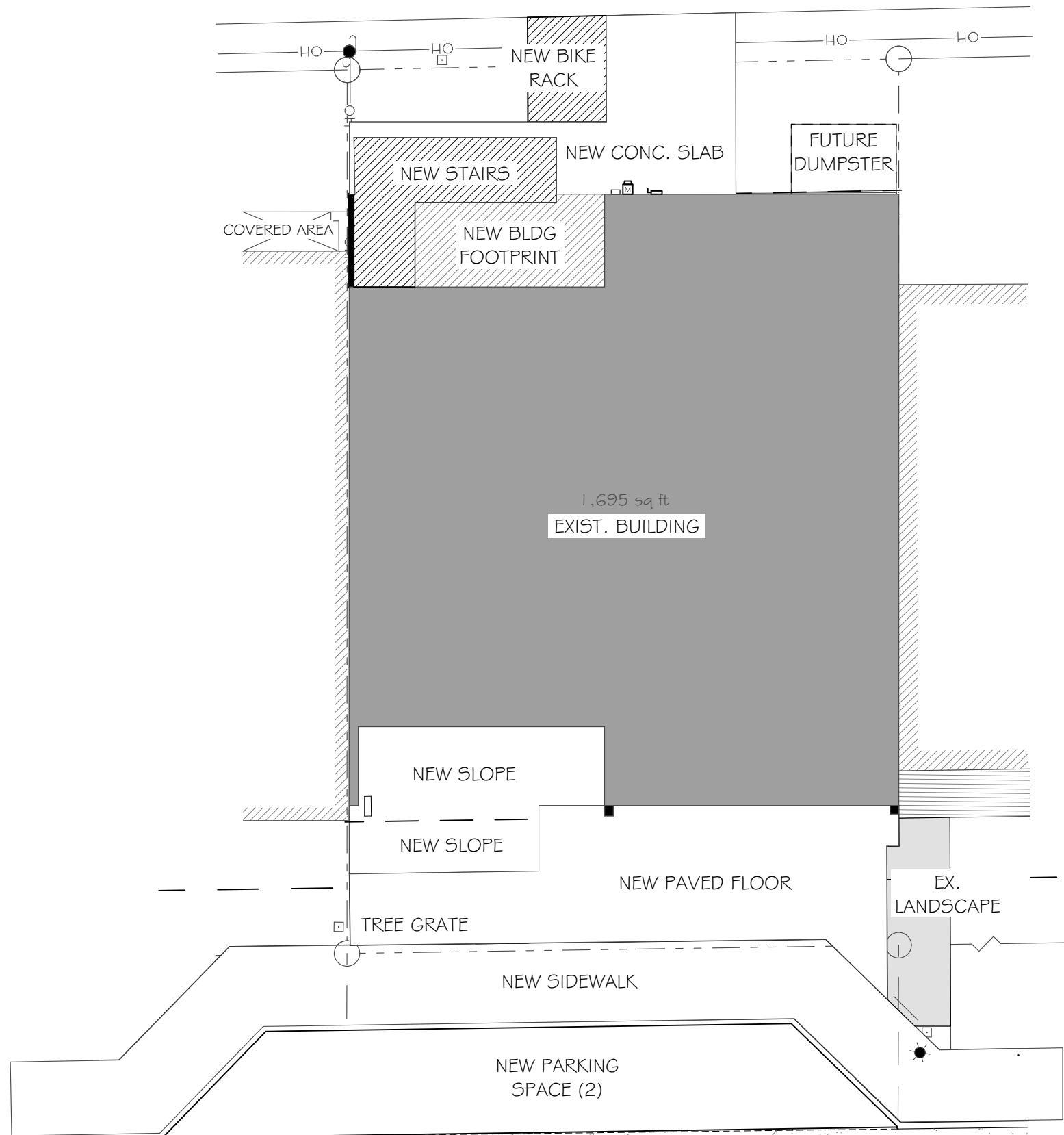
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NOT TO SCALE



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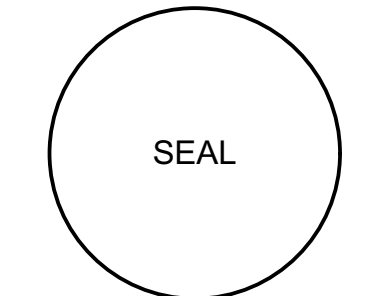
NOT TO SCALE



OVERLAY PLAN  
SCALE: 1" = 10'



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DELRAY BEACH, FL 33483

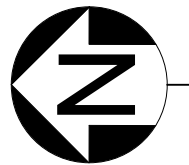
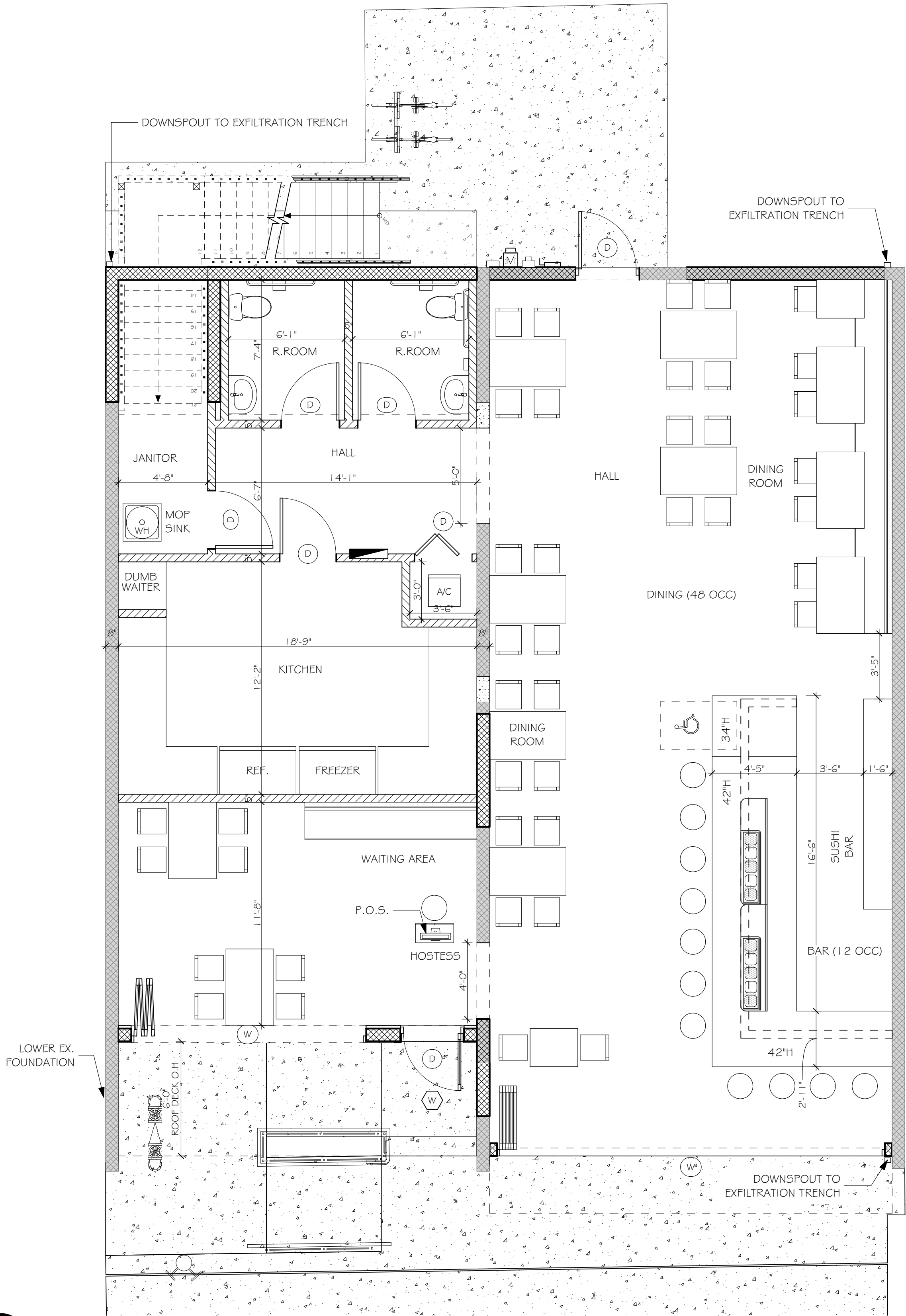
SCHEMATIC DESIGN

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REVISIONS:

A1.2





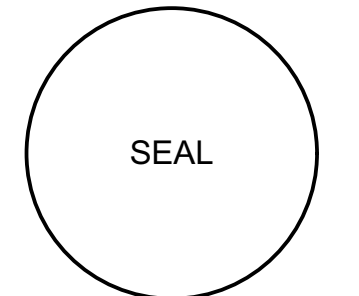
1st FLOOR PLAN

SCALE: 1/4" = 1'-0"



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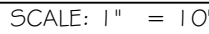
INTERIOR TENANT BUILD-OUT  
**SUSHI RESTAURANT**  
319 NE 3RD AVE  
DELRAY BEACH, FL 33483

SCHEMATIC DESIGN

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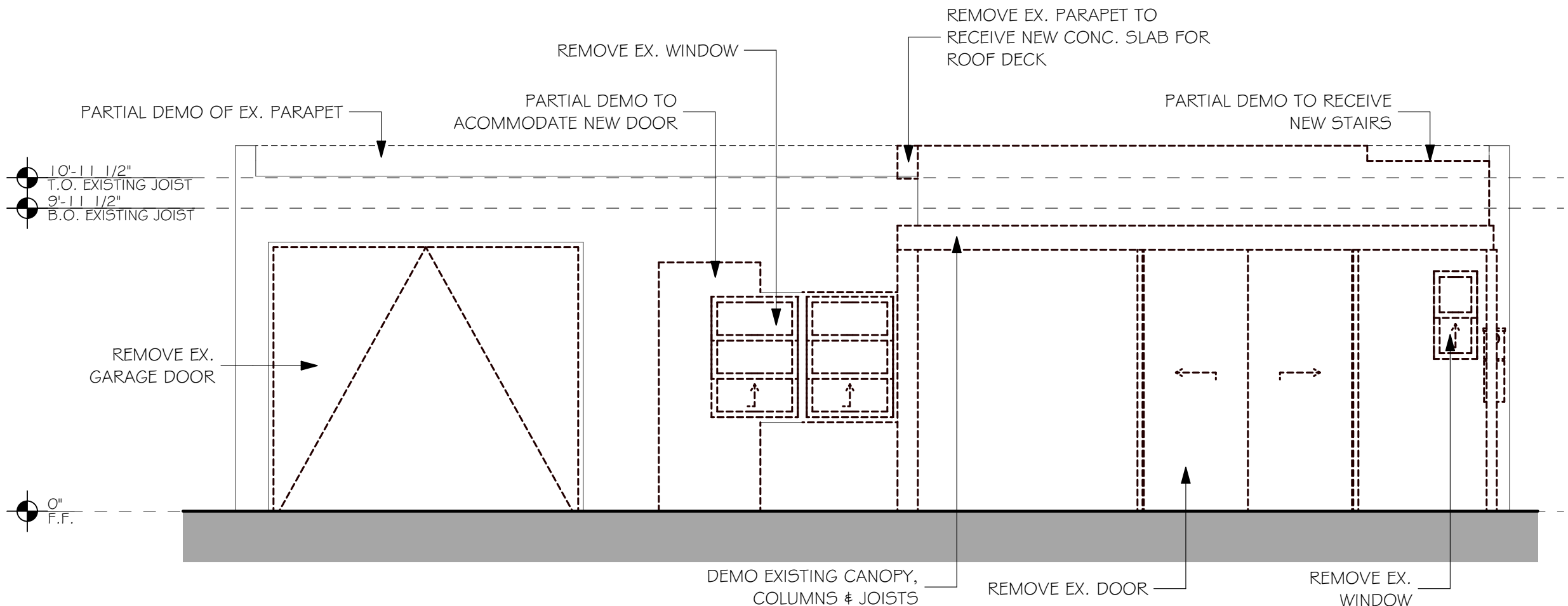
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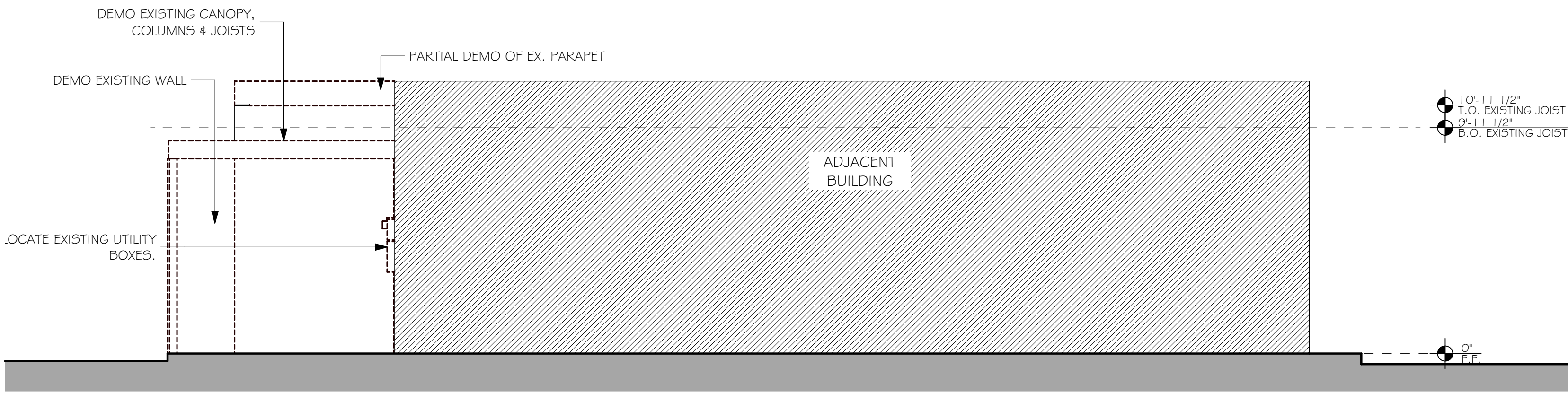


V:\Volumes\SSA Projects\Active Projects\21-391 319 NE 3rd Ave. Sushi bar restaurant\Sushi NE. 3rd Ave Delray.pln



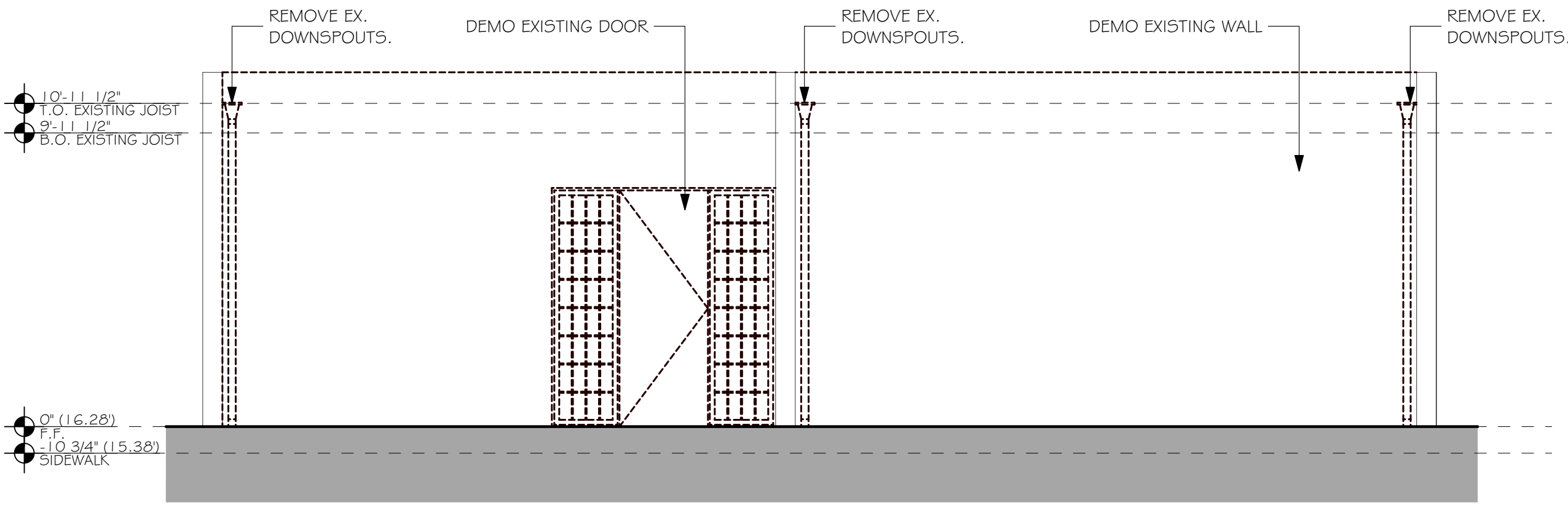
EAST ELEVATION (DEMOLITION)

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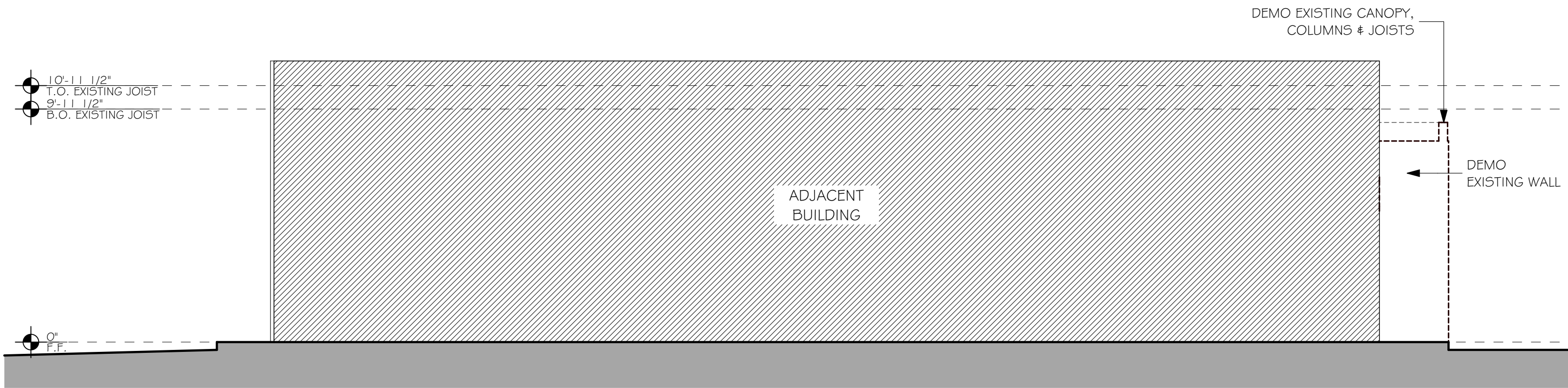
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SCALE: 1/4" = 1'-0"



WEST ELEVATION (DEMOLITION)

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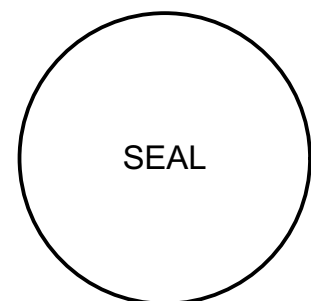
SOUTH ELEVATION (DEMOLITION)

SCALE: 1/4" = 1'-0"



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INTERIOR TENANT BUILD-OUT  
**SUSHI RESTAURANT**  
319 NE 3RD AVE  
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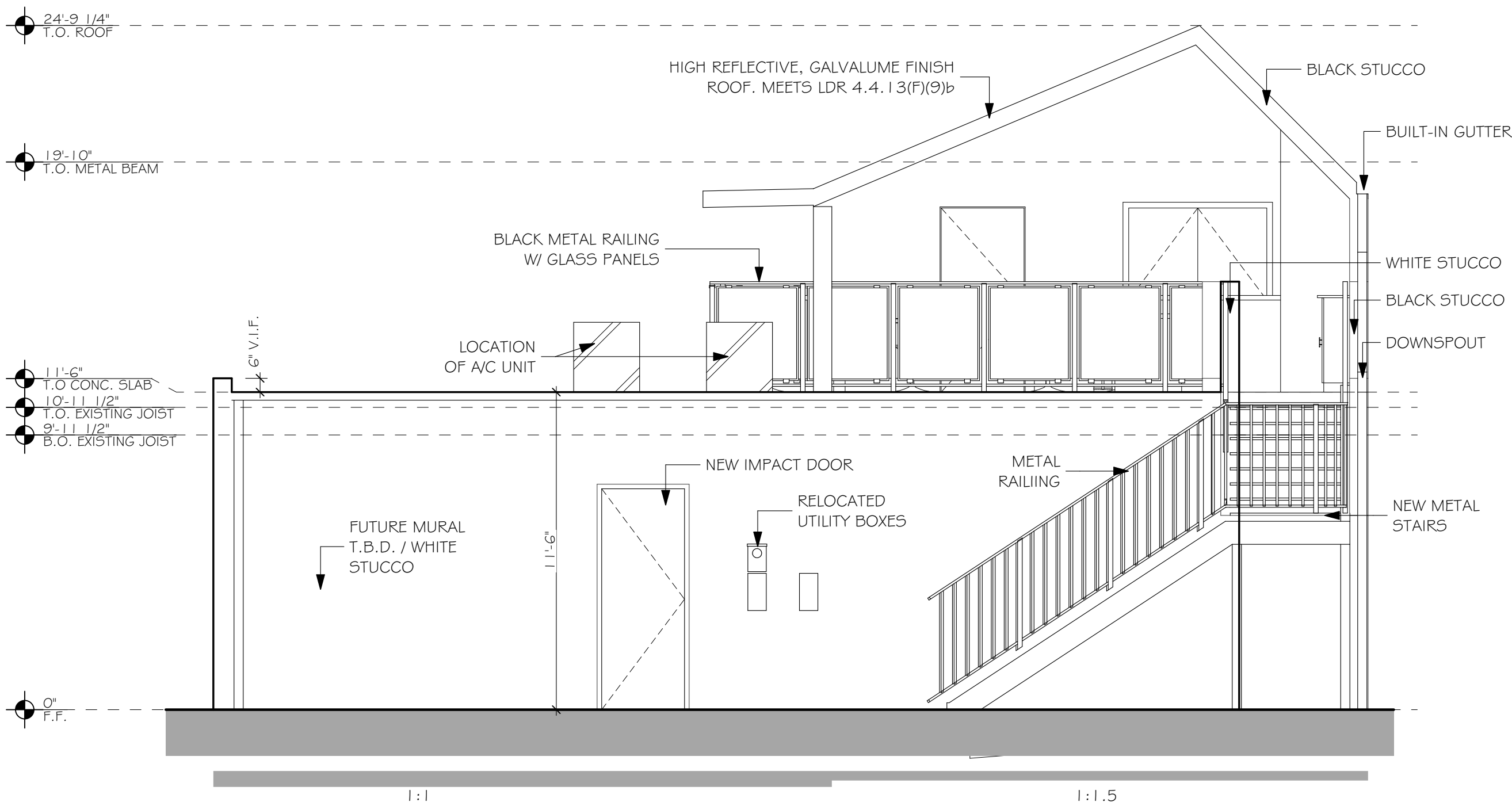
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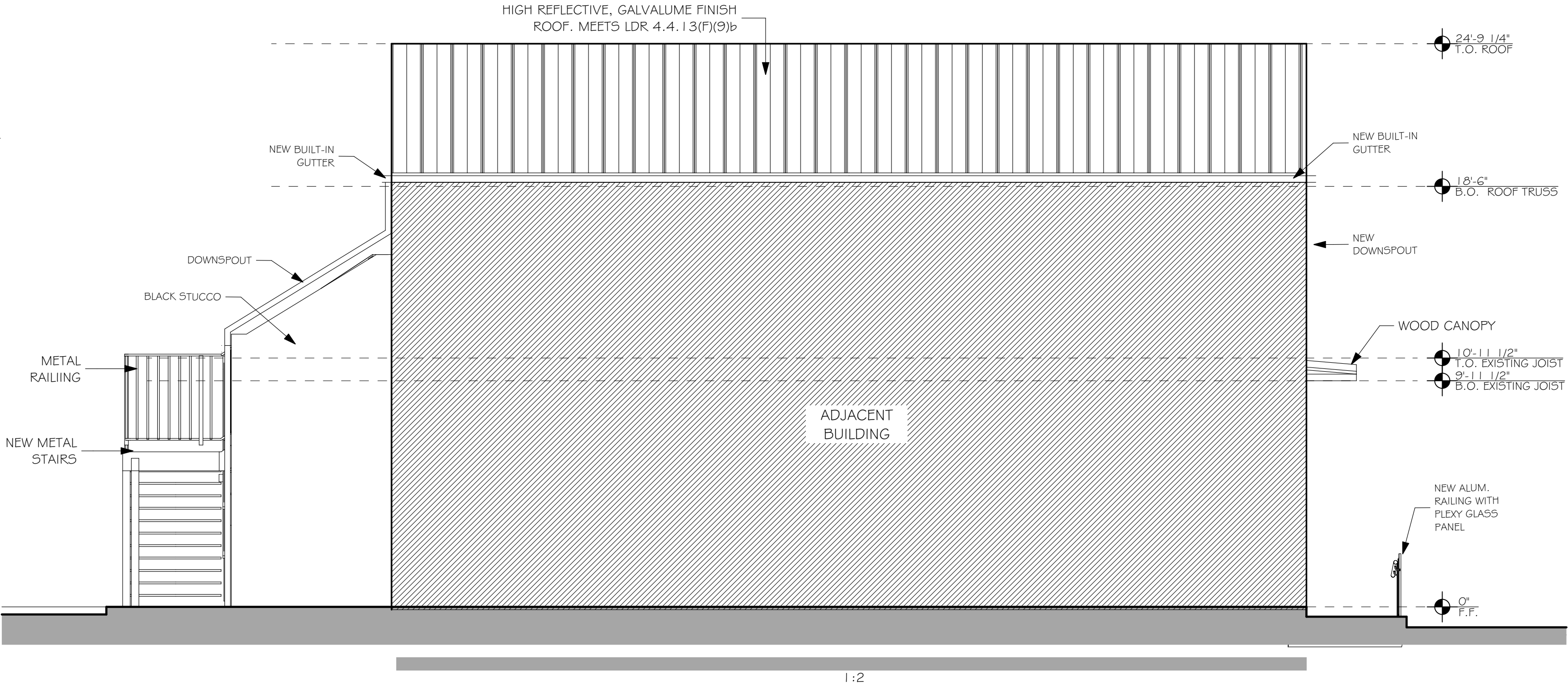
REVISIONS:

A4.1

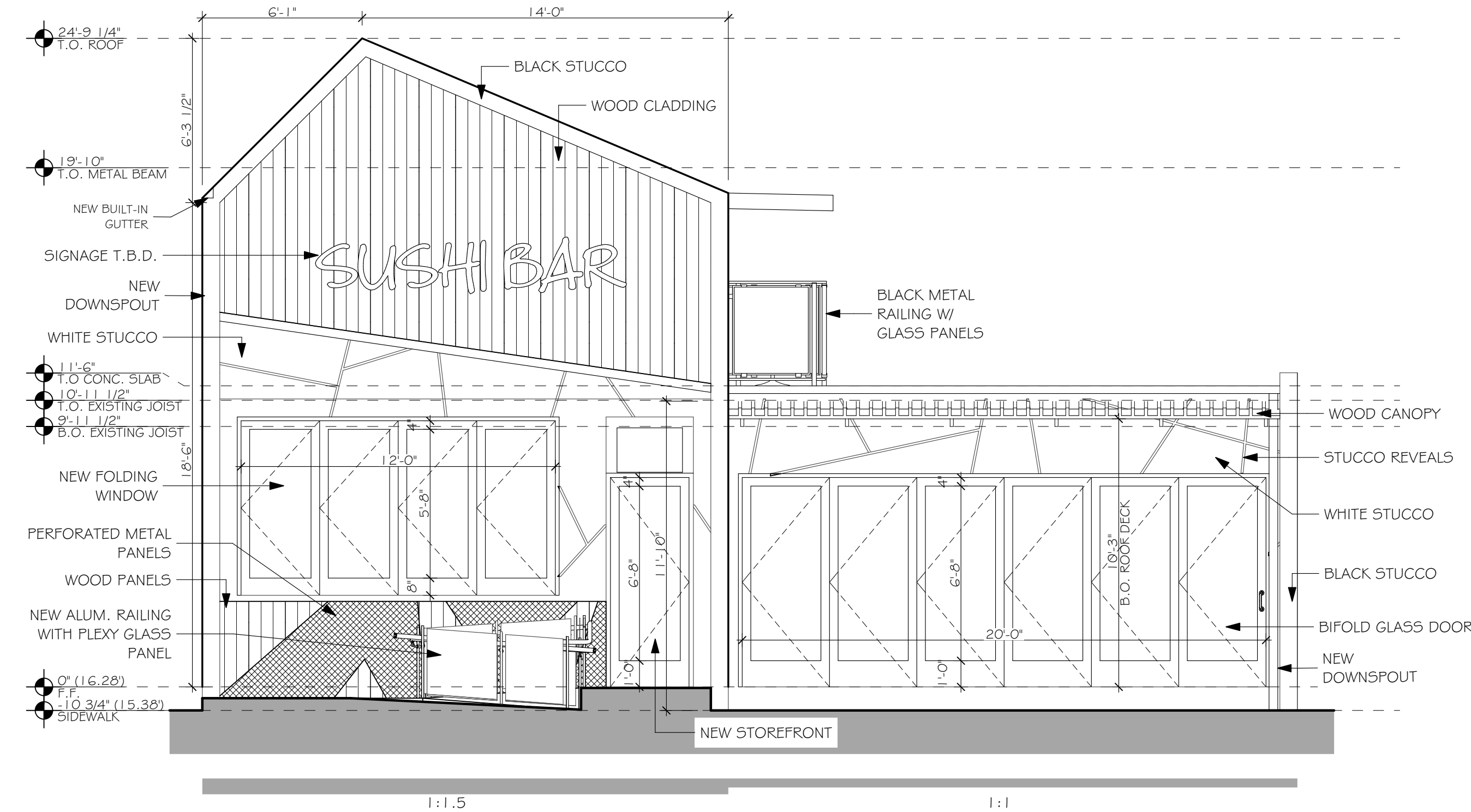




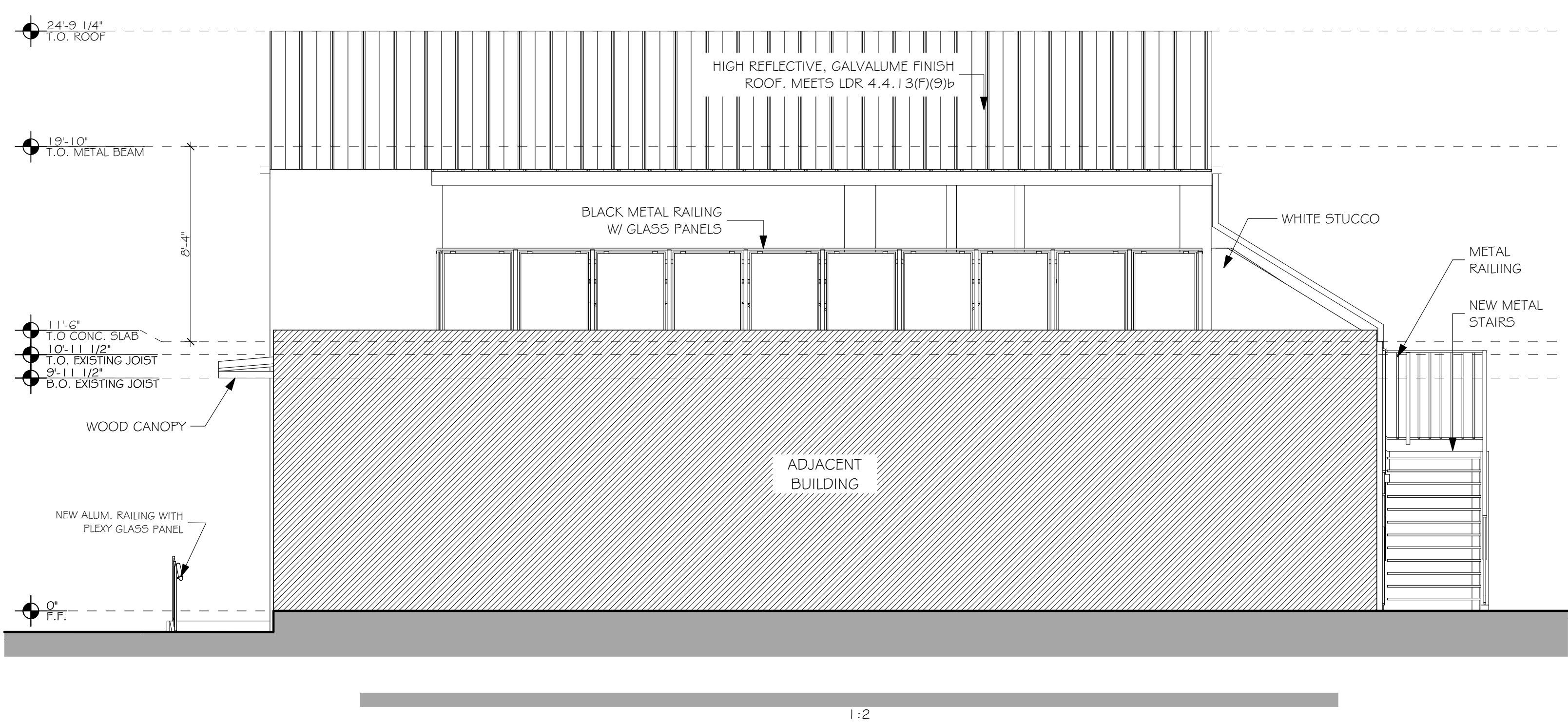
EAST ELEVATION



NORTH ELEVATION



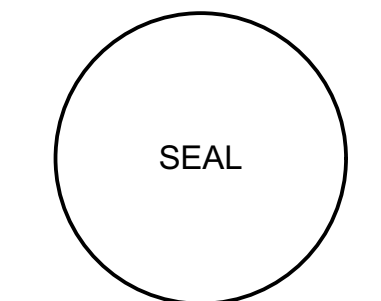
WEST ELEVATION



SOUTH ELEVATION



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**SUSHI RESTAURANT**  
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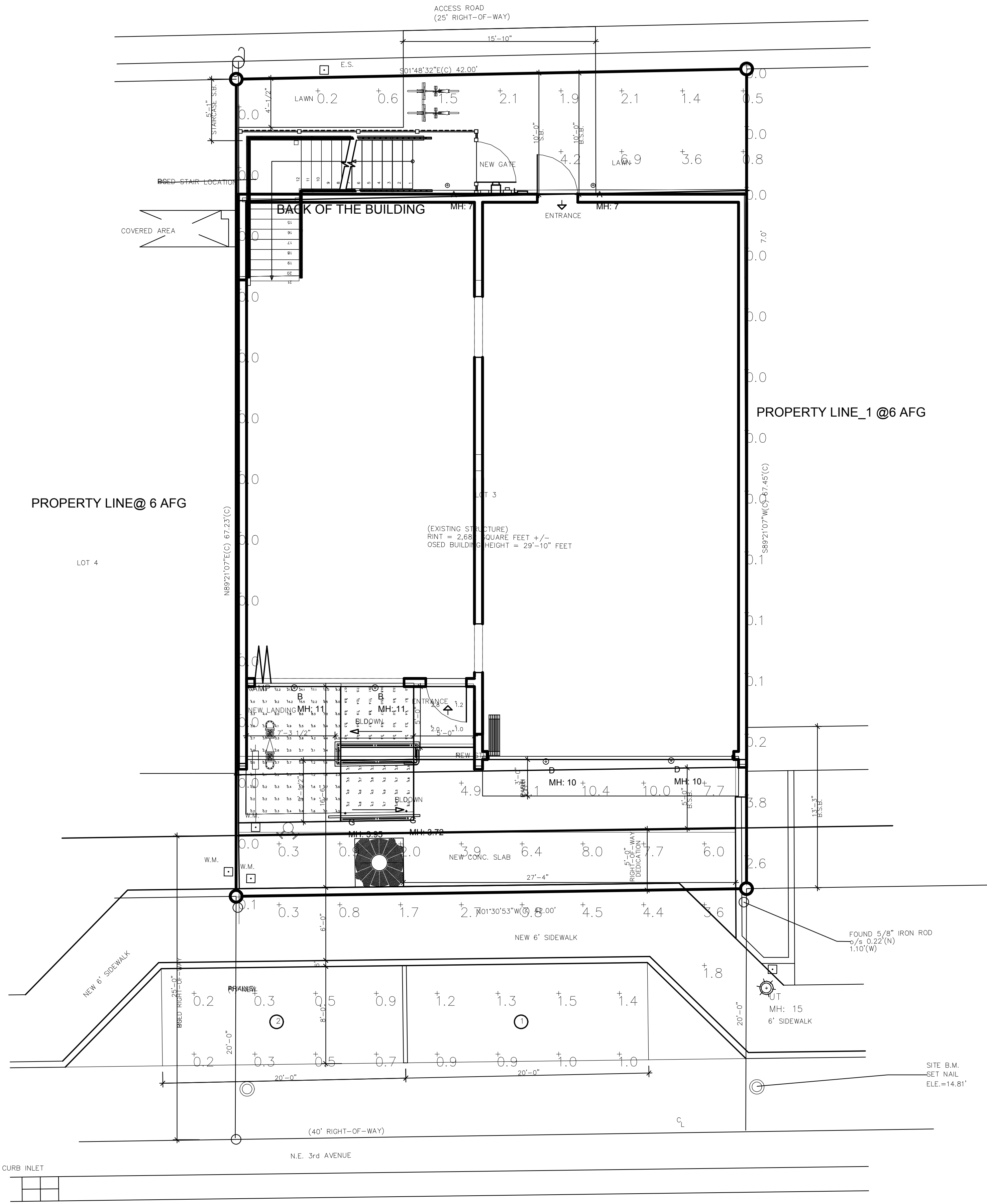
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 **PHOTOMETRIC PLAN**  
SCALE: 1" = 1'-0"

Photometrics Calculation Software Generated Luminaire Schedule								
Symbol	Qty	Label	Arrangement	Lum. Lumens	Arr. Lum. Lumens	LLF	Lum. Watts	Arr. Watts
⊙	1	UT	Single	3341	3341	0.900	295	295
⊕	2	A	Single	1022	1022	0.900	18.9	18.9
⊖	2	B	Single	747	747	0.900	11.2	11.2
⊗	2	D	Single	2160	2160	0.900	20	20
⊙	2	G	Single	101	101	0.900	1.4	1.4

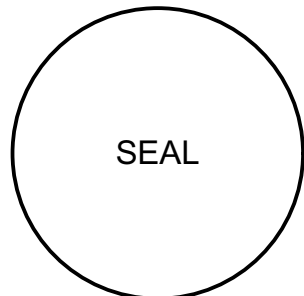
Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
BACK OF THE BUILDING (WALK AREA)	Illuminance	Fc	2.15	6.9	1.5	1.43	4.6
ENTRANCE_Planar	Illuminance	Fc	1.75	2.8	1.0	1.75	2.80
PED AREA	Illuminance	Fc	4.54	10.4	0.5	15.13	34.67
PROPERTY LINE @ 6 AFG	Illuminance	Fc	0.01	0.1	0.0	N.A.	N.A.
PROPERTY LINE_1 @6 AFG	Illuminance	Fc	0.49	3.8	0.0	N.A.	N.A.
STREET PARKING (BY CITY PROVIDED POLES) NA	Illuminance	Fc	0.80	1.5	0.2	4.00	7.50
RAMP	Illuminance	Fc	4.10	6.1	2.1	1.95	2.90

NOTE: ALL LIGHTING SHALL BE FULL CUT-OFF LUMINARIES AS REQUIRED BY CODE.

Sushi Bar - 319 NE 3rd Ave Delray											
TYPE	DESCRIPTION	MANUFACTURER	CATALOG NUMBER	VOLT	LAMP COLOR	LUMENS	LAMP TYPE	DIM TYPE	WATTS	MOUNTING	NOTES
A	EXTERIOR SCONCE	KUZZO	EW19404-BK	120	3000	1530	LED	PHASE	20	SURFACE	
B	EXTERIOR SCONCE	KUZZO	EW61806-BK	UNV	3000	741	LED	N/A	11	SURFACE	
C	EXTERIOR STEPLIGHTS	BEACHSIDE LIGHTING	E3-M-3W-SP	12	3000	15	LED	PHASE	3	SURFACE	
D	EXTERIOR CYLINDER DOWNLIGHT	LIGMAN	UTA-80551-20W-T4-W30-FINISH-120/27V-DIM	UNV	3000	2234	LED	0-10V	20	SURFACE	
F	EXTERIOR SIGN LIGHTING	LUMINI	LL42WET-T-S-G-30K-XXX-XX-LENGTH	24	3000	120/FT	LED	TBD	1.4/FT	SURFACE	
G	LED HANDRAIL	KLIK USA	LP-40-30K-A-ANO	24	3000	120	LED	0-10V	1.4	SURFACE	
FIXTURE SCHEDULE NOTES											
FOR QUESTIONS PERTAINING TO THIS FIXTURE SCHEDULE PLEASE CONTACT CHRISTOPHER GODFREY @ LIGHTING DYNAMICS - (954) 405-7046											



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INTERIOR TENANT BUILD-OUT

# SUSHI RESTAURANT

319 NE 3RD AVE  
DELRAY BEACH, FL 33483

SCHEMATIC DESIGN

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DATE: 3.20.23  
DRAWN BY: BT/JC  
CHECKED BY: SS  
REVISIONS:

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March 20, 2023

**319 NE 3<sup>rd</sup> Avenue  
Class III Site Plan Modification  
Narrative/Justification Letter**

This revised Narrative Letter associated with the Class III Site Plan Modification Application is respectfully submitted on behalf of Big B Investments, LLC for the property located at 319 NE 3<sup>rd</sup> Avenue (PCN:12-43-46-16-01-089-030).

**Background:**

The 0.0647-acre (2,818.33 sf.) property located at 319 NE 3<sup>rd</sup> Avenue, Delray Beach, FL 33444 (Palm Beach County Property Control Number: 12-43-46-16-01-089-0030), contains a one-story 1,808 square foot commercial building (office/warehouse) constructed in 1950 with 4 back-out parking spaces partially within the abutting NE 3<sup>rd</sup> Avenue right-of-way. The building was formerly occupied by American Security & Fire Alarm Systems, Inc. and is currently vacant. The property fronts NE 3<sup>rd</sup> Avenue with an existing improved alley along the east side of the property.

The property has a Future Land Use Map designation of Commercial Core (CC), is zoned Central Business District (CBD), and is within the CBD Railroad Corridor Core Sub-district as well as the Pineapple Grove Arts District.

**Development Proposal:**

Development proposal consists of the following:

- Building alterations to accommodate conversion of the existing 1,808 sf. office building to a 1,832 sf. restaurant with a proposed 850 sf. roof terrace and enclosure of the existing rear canopy area.
- Removal of the 4 existing backout parking spaces along NE 3<sup>rd</sup> Avenue and construction of 2 parallel parking spaces within the NE 3<sup>rd</sup> Avenue right-of-way along with sidewalk improvements, installation of a street tree and accessibility improvements to the front entrance.
- Installation of site lighting and associated landscaping.
- Solid waste will be accommodated utilizing the existing dumpster located on the adjacent property (301 NE 3<sup>rd</sup> Avenue) via an agreement between the property owners.
- A waiver request to LDR Section 4.4.13(D)(2), Table 4.4.13(C), to reduce the rear building setback from 10' to 5' to accommodate the staircase, and an In-Lieu Parking Fee request for 12 required parking spaces.

**CLASS III SITE PLAN MODIFICATION:**

Pursuant to LDR Section 2.4.5(G)(1)(d), a **Class III**, is a modification to the site plan which represents either a change in intensity of use, or which affects the spatial relationship among improvements on the land, requiring partial review of Performance Standards found in [Section 3.1.1](#).





### Required Findings – Sec. 3.1.1:

Pursuant to **LDR Section 3.1.1, Required Findings**, prior to the approval of development applications, certain findings must be made in a form which is a part of the official record. This may be achieved through information on the application, written materials submitted by the applicant, the staff report, or minutes. Findings shall be made by the body which has the authority to approve or deny the development application. As indicated below, positive findings can be made with respect to LDR Sections 3.1.1 (A) – (D).

- (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 property has a Land Use Map designation of Commercial Core (CC), is zoned Central Business District (CBD), and is within the CBD Railroad Corridor Sub-district. Table NDC 1 lists CBD zoning as the preferred zoning district to implement the CC land use designation. Pursuant to LDR Table 4.4.13(A), the proposed restaurant is a permitted use within the Railroad Corridor Sub-district of the CBD. While a floor area ratio (FAR) of 3.0 is allowed, the existing FAR is 0.63 and 0.95 is proposed. Thus, a finding of consistency can be made.

- (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:** Pursuant to the City's Comprehensive Plan, adequate water and sewer treatment capacity exists to meet the adopted Level of Service Standards at the City's buildout population, based on the current Land Use Map designation. Water and sewer services currently exist to the building/site via service lateral connections the existing water and sewer mains located within the NE 3<sup>rd</sup> Avenue right-of-way.
- **Drainage.** Drainage will be accommodated on-site via exfiltration system. There is no change to existing drainage and no increase in impervious area. Signed and sealed drainage calculations have been submitted for review. The proposed design will meet storm water requirements in accordance with the South Florida Water Management District regulations per LDR Section 2.4.3(D)(8) as well as requirements in LDR Section 6.1.9 for the surface water management system. Thus, there will be no impact on this level of service standard.
- **Traffic:** A Traffic Impact Statement was prepared and transmitted to Palm Beach County Traffic Division for review. The project, which is located within the City's Traffic Concurrency Exception Area (TCEA), will generate 141 new daily trips, 11 new AM peak hour trips and 10 peak PM hour further noted, trips. A Traffic Performance Standards (TPS) letter was provided by Palm Beach County Traffic Division stating the Traffic Division has determined the proposed development generates less than 20 peak hour trips; therefore, the project meets the TPS of Palm Beach County. It is further noted, the proposed development is within the City of Delray Beach Traffic Concurrency Exception Area (TCEA); therefore, it is exempt from the TPS of Palm Beach County.
- **Solid Waste:** The Solid Waste Authority of Palm Beach County reports that the landfill servicing this property has sufficient capacity to meet the City's needs until 2054.





- **Parks, Recreation, and Open Space:** No new residential units are proposed. Thus, there will be no impact on parks and recreation level of service standards. In addition, as the property is less than 20,000 sf, there is no civic open space required per LDR Section 4.4.13(G).
- **Schools:** The proposal does not include the addition of new residential units. As such, school concurrency review is not applicable.

(C) **Consistency.** *A finding of overall consistency may be made even though the action will be in conflict with some individual performance standards 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.

#### **Comprehensive Plan Policies:**

Overall, the proposed modifications are consistent with any applicable Goals, Objectives, or Policies of the Comprehensive Plan, particularly those of the Neighborhood, Districts, and Corridors Element as well as the Pineapple Grove Neighborhood Plan. The Proposal includes the adaptive reuse and modification of an existing building that will maintain the historically low-scale development pattern originally found along NE 3rd Avenue.

#### **Neighborhoods, Districts, and Corridors Element**

Policy NDC 2.2.3 *Encourage the adaptive reuse of existing structures located within mixed-use and commercial land use designations, particularly those that were originally established as single family homes or are over 50 years old, by providing incentives, such as relief in the Land Development Regulations, grants to facilitate retrofitting or rehabilitation, etc.*

Policy NDC 2.2.6 *Accommodate automobile access through innovative approaches, including creating district-wide parking programs, strategically locating public garages and lots to maximize access without conflicting with pedestrian activity, providing on-street parking, designating ride-share drop off and pick up locations, and developing “park once” areas that facilitate walking among multiple destinations in a safe, attractive environment.*

Policy NDC 2.7.22 *Continue to support efforts to revitalize and enhance the Pineapple Grove Main Street area and its promotion as an arts-based district by implementing the guidelines and recommendations of “A Neighborhood Plan for ‘Main Street’ in the Grove”, which was last updated and adopted in 1998.*

Policy NDC 3.5.5 *Continue to develop new land use and zoning incentives for eligible and historic resources within the Land Development Regulations, such as encouraging the adaptive reuse of historic structures within mixed-use zoning districts and providing parking relief strategies.*

The development proposal is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan as well as the Pineapple Grove Neighborhood Plan. The adaptive reuse of the existing building





and conversion to restaurant helps fulfill the objective to continue the physical and economic revitalization of the Pineapple Grove neighborhood.

**LDR Section 3.2.3 – Standards for Site Plan Actions:**

- (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.*

The proposal meets this standard. The proposed building is of the Masonry Modern Architectural Style, which is one of seven architectural styles identified in the Delray Beach Central Business District Architectural Design Guidelines. The building along with the associated landscaping and site lighting are designed in compliance with the LDRs. The proposed rear setback waiver as well as other associated improvements will not create any distractions of block visibility as it pertains to traffic circulation.

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

The intent of this standard has been met. The building fronts NE 3<sup>rd</sup> Avenue with Artist's Alley to the rear. As required, the proposal includes removal of the backout parking onto NE 3<sup>rd</sup> Avenue and includes the installation of 2 parallel parking spaces and a new public sidewalk, with an improved accessible route to the building's entrance. In addition, 2 bicycle racks will be installed at the rear of the property abutting Artist's Alley.

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

This standard is not applicable, given the proposed change of use. The above-referenced Objective pertains primarily to private residential development and the property is less than 20,000 sf.; therefore, there is no civic open space required, per LDR Section 4.4.13 (G).

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

This standard is not applicable, given the proposed change of use and no street widening or traffic circulation modifications are associated with the project. It is noted; however, the proposal includes removal of the backout parking onto NE 3<sup>rd</sup> Avenue and installation of 2 parallel parking spaces, which will improve pedestrian safety.

- (E) *Development of residentially zoned vacant land shall be planned in a manner consistent with adjacent development regardless of zoning designations.*





This standard is not applicable as the property is zoned CBD. However, the proposed conversion of use from office to restaurant and associated improvements are designed in a manner that is consistent with the surrounding properties.

- (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.*

This standard has been met. The proposed use, intensity and density are appropriate, and are compatible with and complementary to the adjacent uses. The proposed adaptive reuse and conversion of the existing 1-story office building to a restaurant use along with a roof terrace and other improvements will provide additional dining opportunities to serve area businesses, residents, and visitors and will significantly enhance the NE 3<sup>rd</sup> Avenue corridor as well as the Pineapple Grove Arts District.

- (G) *Development shall provide a variety of housing types that accommodates the City's growing and socio-economically diverse population to meet the Goals, Objectives, and Policies the Housing Element.*

This standard is not applicable as there are no residential units proposed.

- (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.*

This standard has been met. The proposed change of use will have a positive impact on the stability, revitalization, and safety of the Pineapple Grove Arts District. The introduction of the restaurant use and associated improvements to the property will further enhance and stabilize the area. The use will not generate any factors that will result in degradation of the surrounding area. It is noted the roof terrace has been designed to mitigate potential impacts to surrounding properties and is subject to the time limitations specified in LDR Section 4.4.13(C)(4)(h)2.b.

- (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.*

This standard has been met. The traffic statement submitted in conjunction with this application does not show any indication that the project will create any significant additional traffic that will exacerbate an existing situation to become a high accident location. The elimination of the 4 backout parking spaces and the installation of the 2 parallel parking spaces will improve pedestrian safety.

- (J) *Tot lots and recreational areas, serving children, teens, and adults 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.*

This standard is not applicable as the project does not provide any residential units.

*(K) Development shall not exceed the maximum limits established in the Table NDC-1, Land Use Designations: Density, Intensity, and Implementing Zoning Districts, of the Neighborhoods, Districts, and Corridors Element or specific standards established in the zoning districts that limit density (dwelling units per acre) or intensity (floor area ratio) and must adhere to whichever limit is lower. Development in areas included in density or incentive programs (i.e. workforce housing programs specified in Article 4.7-Family/Workforce Housing) may exceed the Standard density limit, up to the specified Revitalization/Incentive density established for the program: development in all other areas shall not exceed the Standard density.*

The intent of this standard has been met. The proposed adaptive reuse and conversion of the existing 1-story office building to a restaurant use along with a roof terrace and other improvements. The proposal is to change the existing office use to a restaurant with significant site and building improvements including a roof terrace. The proposal will not exceed the maximum limits in the Table NDC-1, or the specific standards related to the intensity and density, as the floor area ratio will be 0.95 where 3.0 is allowed.

**(D) Compliance with 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.*

The development proposal is in compliance with the Land Development Regulations, including the CBD Development and Architectural Standards as they relate to front building setbacks, site lighting, building design, rooftop terraces, and streetscape standards, based on the NE 3<sup>rd</sup> Avenue Improvement Plans. Also, the required 5' right-of-way dedication along NE 3<sup>rd</sup> Avenue will be provided which will reduce the front setback of the existing building from 10' to 5'. Parking and Rear Building Setbacks are discussed in more detail below.

#### **Parking:**

Pursuant to LDR Section 4.4.13(I) ***CBD Parking Standards***, (2) ***Minimum number of off-street parking spaces*** (d) Properties less than 65 feet in width with a building no more than two stories in height are not required to provide off-street parking, except for restaurant and lounge uses.

Pursuant to LDR Section 4.4.13(I), Table 4.4.13(L) ***Minimum Number of Off-street Parking Spaces Required in the CBD***, the following parking requirements pertain to the conversion from office to restaurant.

Restaurants and lounges (including those located within hotels/motels) NOT in the Atlantic Avenue Parking District - 6 spaces per 1,000 sf. of gross floor area. In addition, per LDR Section 4.4.13(C)(4)(h)2.c., Rooftop Terraces must provide parking when a principal use (restaurant) is located on a rooftop terrace. Per LDR Section 4.4.13(I)(3)(a)6., if the required parking is not or cannot be provided on-site or off-site, the in-lieu fee option provided in [Section 4.6.9\(E\)\(3\)](#) may be applied.





As previously stated, the proposal includes conversion of the existing 1,808 sf. office building to a 2,682 sf. restaurant (1,832 sf. ground floor; 850 sf. roof terrace), requiring 16 parking spaces. In addition, 5' of right-of-way will be dedicated along NE 3<sup>rd</sup> Avenue, the 4 existing backout parking spaces along NE 3<sup>rd</sup> Avenue will be replaced with 2 on-street parallel parking spaces within the NE 3<sup>rd</sup> Avenue right-of-way along with sidewalk improvements and street tree, as required to comply with the City's streetscape standards. The improvements will be consistent with the recently completed NE 3<sup>rd</sup> Avenue streetscape improvements.

Based upon the above, given the replacement of the 4 existing spaces with the 2 on-street parallel spaces and associated streetscape improvements as well as the site constraints, the request is to provide the balance of the required parking spaces via the in-lieu parking fee for 12 parking spaces.

Pursuant to LDR Section 4.6.9(E)(3) (*In-Lieu Fee*), subject to the limitations of LDR Section 4.6.9, new development, use conversion to existing buildings, building additions and/or renovations, that result in the requirement to provide new parking or additional parking, have the option of requesting some of the parking spaces to be approved by the City Commission through the payment in-lieu of parking program. A maximum limit of 30 percent of eligible required parking can be provided under this option, except for use conversions for which there is no maximum. Before granting such approvals, the City Commission must find that adequate public parking options are available and that the request is consistent with the Land Development Regulations, City Comprehensive Plan, and all currently adopted City policies and/or studies.

Per LDR Section 4.6.9(E)(3)(b), arrangements for payment shall be approved by the City Commission at the time of the approval of the in-lieu fee. The subject property is located within Area 4 [ref. LDR Section 4.6.9(E)(3)(b)(4)] requiring an in-lieu parking fee in the amount of \$4,600 per space (ref. Resolution No. 27-17) and payment in the amount of \$55,200 for the 12 parking spaces.

***Parking Analysis:***

Pursuant to LDR Section 2.4.5(O)(5) *In-Lieu Parking Fee Findings*. *The City Commission must find that the request is consistent with the Land Development Regulations, City Comprehensive Plan, and all currently adopted City policies and/or studies. For In-lieu requests, an additional finding must be made that adequate public parking options are available.*

The subject property is located within the Pineapple Grove Arts District where the continuation of the physical and economic revitalization is an objective of the Pineapple Grove Neighborhood Plan. The proposal will provide the desired investment and will encourage additional investment and improvements to other properties within the area. Within the 2 blocks of NE 3<sup>rd</sup> Avenue from NE 2<sup>nd</sup> Street to NE 4<sup>th</sup> Street there exists 101 public spaces (43-space CRA parking lot; 14-space City parking lot; 36 on-street along NE 3<sup>rd</sup> Avenue; 8 spaces along NE 3<sup>rd</sup> Street). The proposal also includes the construction of 2 on-street parking spaces as required to be consistent with the CBD Streetscape Standards, Complete Streets Policy and LDR Section 4.6.9(E)(3)(e), which requires, in addition to in-lieu fees due, construction of additional on-street parking where adequate right-of-way exists adjacent to a proposed project. In addition to the in-lieu fee request, and consistent with the City's Downtown Delray Beach Master Plan and Parking Management Plan, the applicant is pursuing an agreement with an adjacent property owner to utilize/share existing underutilized parking during peak periods of the restaurant (evenings) and off-peak periods of the property owner's tenants. It is further noted, multimodal transportation options exist in Delray Beach which also address the needs





of the compact, interconnected mixed use downtown. Given the above, positive findings can be made with LDR Section 2.4.5(O)(5).

**Rear Building Setback Requirements (Rear):**

***CBD, Railroad Corridor Sub-district development standards.*** The proposal complies with the CBD, Railroad Corridor Subdistrict, except as indicated below.

***Waiver Request:***

Pursuant to LDR Section 4.4.13(D)(2), Table 4.4.13(C), within the CBD Railroad Corridor Sub-district the rear building setback is 10'. The proposal includes a waiver request to reduce the rear setback from 10' to 5' to accommodate a staircase adjacent to the Artist's Alley.

***Waiver Analysis/Findings:***

Pursuant to LDR Section 2.4.7(B)(5) ***Findings.*** *Prior to granting a waiver, the granting body shall make findings that the granting of the waiver:*

- (a) Shall not adversely affect the neighboring area;*
- (b) Shall not significantly diminish the provision of public facilities;*
- (c) Shall not create an unsafe situation; and,*
- (d) Does not result in the grant of a special privilege in that the same waiver would be granted under similar circumstances on other property for another applicant or owner.*

The subject property is 42' wide and ~67' deep. The rear of the existing building is currently set back 7' from the east/rear property line, abutting Artist's Alley. The proposal consists of the adaptive reuse of the existing building to a restaurant. The metal staircase will be set back 5' from the rear property line and is designed to provide egress from the roof terrace consistent with the Florida Building Code without conflicting with the rear access to the restaurant. The staircase will be open and will be of similar impact as a balcony, which may encroach up to 5' into the setback area.

Given the site constraints and circumstances pertaining to the property, the adaptive reuse of the existing structure, it is reasonable to grant the request. The waiver will not adversely affect the surrounding neighborhood, as the project design is sensitive to the character of the area. The waiver will not diminish the provision of public facilities and will not create an unsafe situation. The waiver will not grant any special privilege in that similar relief was granted for the abutting development to the south and could be granted under similar circumstances on other properties for another applicant or owner. Therefore, positive findings can be made with LDR Section 2.4.7(B)(5).

In addition to the findings in Section 2.4.7(B)(5), pursuant to LDR Section 4.4.13(K)(5)(b)2, *within the CBD, the following standards shall be used by the City Commission, SPRAB or HPB when considering waiver requests:*

- a. The waiver shall not result in an inferior pedestrian experience along a Primary Street, such as exposing parking garages or large expanses of blank walls.*
- b. The waiver shall not allow the creation of significant incompatibilities with nearby buildings or uses of land.*





- c. *The waiver shall not erode the connectivity of the street and sidewalk network or negatively impact any adopted bicycle/pedestrian master plan.*
- d. *The waiver shall not reduce the quality of civic open spaces provided under this code.*

Based on the analysis above, the waiver does not impact an area that will result in an inferior pedestrian experience along a Primary Street, as the waiver applies in the rear of the property adjacent to the alley and the project is on a Secondary Street. The waiver will not create an incompatibility with the nearby buildings or uses and will not erode the connectivity of the street and sidewalk network or negatively impact any adopted bicycle/pedestrian master plan. In addition, the property is less than 20,000 sf.; therefore, civic open space is not required. Thus, the waiver will not reduce the quality of civic open spaces provided under the CBD regulations. Thus, positive findings can also be made with LDR Section 4.4.13(K)(5)(b)2.

#### **Landscape Plan Findings:**

*Pursuant to 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.*

The proposed landscape plan complies with the objectives and design standards of LDR Section 4.6.16.

#### **Architectural Elevations Findings:**

*Pursuant to LDR Section 4.6.18(E), Criteria for Board Action, the below 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 exterior renovations are designed in the Masonry Modern architectural style and meets the criteria of LDR Section 4.6.18(E)(1)-(3), as well as the CBD Architectural Standards (LDR Section 4.4.13(F)). The proposed building design and scale are in conformity with good taste and good design. The design is in harmony with the developments in the area and will enhance the character, value, and attractiveness of the surroundings.

#### **Conclusion/Positive Findings:**

Based, on the above, positive findings can be made that the project as represented by the Class III Site Plan Modification is consistent with Chapter 3 (Performance Standards, LDR Section 3.1.1 (Required

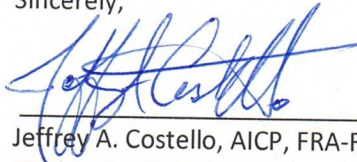




Findings), (A) Future Land Use Map, (B) Concurrency, (C) Consistency, and (D) Compliance with LDRs, as well as the Always Delray Comprehensive Plan, Downtown Delray Beach Master Plan, Pineapple Grove Main Street Neighborhood Plan and Community Redevelopment Plan. Therefore, approval of the Class III Site Plan Modification, associated waiver, and in-lieu parking fee request is respectfully requested.

Please contact me should you have any questions or require additional information. Thank you for your consideration.

Sincerely,



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Jeffrey A. Costello, AICP, FRA-RA, Principal  
JC Planning Solutions, LLC







**Department of Engineering  
and Public Works**

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**Palm Beach County  
Board of County  
Commissioners**

Mack Bernard, Mayor  
Dave Kerner, Vice Mayor  
Hal R. Valeche  
Gregg K. Weiss  
Robert S. Weinroth  
Mary Lou Berger  
Melissa McKinlay

**County Administrator**

Verdenia C. Baker

August 24, 2022

John M. Donaldson, PE, PTOE  
JMD Engineering, Inc.  
12773 Forest Hill Blvd, Suite 204  
Wellington, FL 33414

**RE: Sushi Restaurant 319 NE 3<sup>rd</sup> Ave**  
**Project #: 220806**  
**Traffic Performance Standards (TPS) Review**

Dear Mr. Donaldson:

The Palm Beach County Traffic Division has reviewed the above referenced project Traffic Impact Statement, dated August 19, 2022, pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County Unified Land Development Code (ULDC). The project is summarized as follows:

<b>Municipality:</b>	Delray Beach
<b>Location:</b>	East side of NE 3 <sup>rd</sup> Avenue, about 0.15 miles north of NE 2 <sup>nd</sup> Street
<b>PCN:</b>	12-43-46-16-01-089-0030
<b>Access:</b>	Access driveway connection onto NE 3 <sup>rd</sup> Avenue (As used in the study and is NOT necessarily an approval by the County through this TPS letter)
<b>Existing Uses:</b>	General Office = 1,799 SF
<b>Proposed Uses:</b>	Redevelop the site with: High Turnover Sit-Down Rest. = 3,698 SF
<b>New Daily Trips:</b>	203
<b>New Peak Hour Trips:</b>	17 (9/8) AM; 15 (11/4) PM
<b>Build-out:</b>	December 31, 2027

Based on our review, the Traffic Division has determined the proposed development generates less than 20 peak hour trips; therefore, the project **meets** the TPS of Palm Beach County.

Please note the receipt of a TPS approval letter does not constitute the review and issuance of a Palm Beach County Right-of-Way (R/W) Construction Permit nor does it eliminate any requirements that may be deemed as site related. For work within Palm Beach County R/W, a detailed review of the project will be provided upon submittal for a R/W permit application. The project is required to comply with all Palm Beach County standards and may include R/W dedication.

No building permits are to be issued by the City after the build-out date specified above. The County traffic concurrency approval is subject to the Project Aggregation Rules set forth in the Traffic Performance Standards Ordinance.

"An Equal Opportunity  
Affirmative Action Employer"





John M. Donaldson, PE, PTOE  
August 24, 2022  
Page 2

The approval letter shall be valid no longer than one year from date of issuance, unless an application for a Site Specific Development Order has been approved, an application for a Site Specific Development Order has been submitted, or the approval letter has been superseded by another approval letter for the same property.

If you have any questions regarding this determination, please contact me at 561-684-4030 or email [HAkif@pbcgov.org](mailto:HAkif@pbcgov.org).

Sincerely,

A handwritten signature in blue ink, appearing to read "Hanane Akif".

Hanane Akif, P.E.  
Professional Engineer  
Traffic Division

QB:HA:cw

ec:

Anthea Gianniotis, AICP, Director of Development Services, City of Delray Beach  
Quazi Bari, P.E., PTOE, Manager – Growth Management, Traffic Division  
Alberto Lopez, Technical Assistant III, Traffic Division

File: General - TPS - Mun - Traffic Study Review  
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