

## Development Services: Planning, Zoning Department

#### **BOARD ACTION REPORT - APPEALABLE ITEM**

Project Name: 52 Modern

Project Location: 172, 182 and 190 NE 5th Avenue

Request: Class V Site Plan, Architectural Elevations, Landscape Plans

Board: Site Plan Review and Appearance Board

Meeting Date: September 26, 2018

#### **Board Action:**

Approved with a 7-0 vote on each of the following requests: Class V Site Plan, Architectural Elevations and Landscape Plans.

## **Project Description:**

The project is located at 172, 182, and 190 NE 5<sup>th</sup> Avenue. The subject property consists of 3 vacant lots that are 0.67 acres in total. The proposal is for 12 fee simple townhouses. The parcels are located within the Central Business District (CBD). The site has a Future Land Use Map (FLUM) of Commercial Core (CC).

The project consists of 12 fee simple four-story townhouses each with a two car garage. Guest parking is provided onsite. The Masonry Modern Design Style with a stoop style frontage, per the CBD Architectural Design Guidelines, was utilized for the architectural design. Each unit has a private 4<sup>th</sup> floor terrace. The development proposes a private residential courtyard as well as public civic open space with amenities such as a bike rack, drinking fountain, sitting area and pet waste station. Curb zones that contain street trees and utilities as well as pedestrian clear sidewalk zones for public use have been implemented in the site design. Access to the development is from a rear alley.

#### **Board Comments:**

Board comments supportive of the requests.

## **Public Comments:**

No members of the public spoke for or against the project.

#### **Associated Actions:**

N/A

**Next Action**: The SPRAB action is final unless appealed by the City Commission.

## SITE PLAN REVIEW AND APPEARANCE BOARD CITY OF DELRAY BEACH ---STAFF REPORT---

MEETING DATE: September 26, 2018

ITEM: 52 Modern (2018-049) - Class V Site Plan and Architectural Elevations and

Landscape Plan to construct twelve townhomes.

**RECOMMENDATION:** Approve the Class V Site Plan, Architectural Elevations, and the

Landscape Plan

**GENERAL DATA:** 

Owner..... KH Delray at Fifth, LLC

Agent/ Applicant ..... Richard Jones

Architecture/ Rich Jones

Address...... Delray Beach 33444 10 SE 1st Avenue, Suite 102

Location..... Southwest corner of NE 5<sup>th</sup>

Ave and NE 2<sup>nd</sup> Street.

Property Size...... 29,216 sq. ft. (0.67 ac.)

Future Land Use Map..... CC (Central Core)

Current Zoning...... CBD (Central Business

District)

Adjacent Zoning:

**CBD** North

**CBD** South

> **CBD** East

West **CBD** 

Existing Land Use...... Vacant Land

Proposed Land Use...... Twelve townhome

residential units

Water Service..... Existing on site

Sewer Service..... Existing on site



#### ITEM BEFORE THE BOARD

The action before the Board is approval of a Class V Site Plan for **52 Modern (2018-049)**, located at the southwest corner of the intersection of NE 5<sup>th</sup> Avenue and NE 2<sup>nd</sup> Street, pursuant to LDR Section 2.4.5(F), including the following:

- Site Plan;
- Architectural Elevations; and,
- Landscape Plans

#### **BACKGROUND**

The subject property is located within 172, 182 and 190 NE 5<sup>th</sup> Avenue at the southwest corner of the intersection of NE 5<sup>th</sup> Avenue and NE 2<sup>nd</sup> Street. The parcels are all part of Block 99 as shown in Plat Book 1, Page 3. The site is zoned Central Business District (CBD) in the Central Core Sub-district and has a Central Core (CC) Future Land Use Map (FLUM) Designation. The 29,216 sf site includes 3 vacant parcels. The existing buildings were demolished in 2016 and the lots have remained vacant since that time. Previous uses of the parcels range from retail spaces to medical professional offices.

#### PROJECT DESCRIPTION

Now before the Board for consideration is a Class V Site Plan proposal to construct twelve (12) fee simple townhomes and associated parking. The townhomes are designed in the Masonry Modern architectural style with a stoop style frontage design. Additionally, a private residential courtyard and a public civic open space are included in the project scope. For setback purposes, NE 2<sup>nd</sup> Street and NE 5<sup>th</sup> Avenue are Primary Streets, the alley is the rear and the southern property line is a side setback.

#### SITE PLAN ANALYSIS

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

#### LDR Section 4.4.13(D) – Dimensional Requirements by CBD Sub-district:

Pursuant to Figure 4.4.13-5 (Central Core Regulating Plan), NE 2<sup>nd</sup> Street and NE 5<sup>th</sup> Avenue are Primary Streets. Pursuant to Table 4.4.13(C), the following dimensional requirements are applicable:

Standard	Required	Proposed
Lot Width	20 ft. min.	122 ft.
Lot Area	2,000 sf. min.	29,216 sf.
Front Setback (NE 5 <sup>th</sup> Ave)	10 ft. min/15 ft. max.	11 ft.
Front Setback above 3 <sup>rd</sup> story (NE 5 <sup>th</sup> Ave)	20 ft.	23 ft. 8 in.
Front Setback (NE 2 <sup>nd</sup> Street)	10 ft. min/15 ft. max.	13 ft.
Front Setback above 3 <sup>rd</sup> story (NE 2 <sup>nd</sup> Street)	20 ft.	25 ft9 in.
Interior Side Setback (south)	0 ft. min.	5 ft.

Rear Setback (Alley)	10 ft. min.	10 ft.
Building Frontage Required on Primary Streets (NE 5 <sup>th</sup> Ave)	75% min./100%max	89%
Building Frontage Required on Primary Streets (NE 2 <sup>nd</sup> Street)	75% min./100%max	83%
Maximum Height	4 Stories & 54 ft.	4 Stories & 47 ft. 7 in.
Density	*30 du/ac	17.89 du/ac

\*Maximum permitted

The proposed buildings comply with the dimensional requirements in Table 4.4.13(C). **Prior to site plan** certification, the building frontage chart shall be revised, the guest parking calculation shall be revised, and the setback for the 4<sup>th</sup> floor shall be added to the setback chart and a dimension showing the 10 foot setback to the window overhang shall be added to the site plan.

#### **Streetscape Standards:**

Pursuant to LDR Section 4.4.13(E)(2)(a), the combination of public sidewalk (located within the right-of-way) and hardscape (located in front setback areas) shall provide a minimum streetscape area no less than 15 ft. in width, measured from the back of curb. The streetscape area is comprised of a curb zone, a pedestrian clear zone, and any remaining front setback area. The curb zone is at least four feet wide, measured from the back of curb, and accommodates street trees and public infrastructure needs such as utility poles, street lights, street signs, parking meters, etc. The pedestrian clear zone is at least six feet wide. The code requires that portion of the pedestrian clear zone located within the front setback area must be designed as an extension of the public sidewalk, providing a seamless physical transition. In the remaining setback area, buildings with residential uses in the ground story shall detail and design any remaining front setback area within the 15-foot wide minimum streetscape area using hardscape or foundation planting landscaping. The encroachment of porches or stoops in this area may be permitted. The applicant has a distance of approximately 22.5 ft. from the back of curb to the building face along NE 5<sup>th</sup> Avenue and approximately 17 ft. from NE 2<sup>nd</sup> Street. Each streetscape area contains the required curb zone and pedestrian zone element within the respective setback areas, meeting the code requirement.

Per the LDRs, a sidewalk easement, in a form acceptable to the City Attorney, over any portion of the pedestrian clear zone located within the front setback shall be granted to the City. The property owner shall also be required to enter into a maintenance agreement, in a form acceptable to the City Attorney, requiring the property owner to be responsible for and maintain any improvements made or installed by the owner to meet the requirements of this section. **Prior to issuance of a building permit, the sidewalk maintenance agreement must be recorded.** 

Pursuant to LDR Section 4.4.13(E)(2)(b), street trees are required to be planted in the public right-of-way directly in front of the property line uniformly spaced no greater than 30 feet on center. For new construction, the street trees may only exceed 30 feet in order to accommodate curb cuts, fire hydrants, utilities, existing trees, and other infrastructure elements. Consistency in street tree species shall be established on both sides of the street along each block. The first to develop shall establish the species with approval from the Planning, Zoning, and Building Director in consultation with the Environmental Services Director. In this application, an established street tree species of Royal Palms was established along NE 5<sup>th</sup> Avenue, therefore, the applicant utilized a Royal Palm. Along NE 2<sup>nd</sup> Avenue, there is an existing power line that parallels the right-of-way within the curb zone, therefore an appropriate tree species for "the right tree in the right place" was proposed. A crape myrtle was chosen for this location.

#### Frontage Standards and Finished Floor Height:

Pursuant to LDR Table 4.4.13(B), the first habitable floor for residential uses within the Central Core Subdistrict must be a minimum of 18 inches above the adjacent sidewalk. The minimum required height provides a level of privacy to the residential uses located along the sidewalk. The minimum floor height of the first floor of residential dwellings is 10 feet and each subsequent story must be 9 feet. For the frontage type, a stoop is being proposed. A stoop must have a minimum height of 1 foot with a maximum height of 4 feet. Although the stoop may encroach into the setback a maximum of 5 feet, no encroachments of the stoop are permitted within the pedestrian clear zone or the curb zone. The elements previously listed apply to those units that front on the primary streets. Building 4 is considered interior to the parcel and is not subject to the previously listed elements. The proposed structures meet these standards.

## **Stoop Standards:**

Pursuant to LDR Section 4.4.13(E)(4)(b), the stoop is a frontage type along sidewalk level of the ground story, typically associated with residential uses. The table below provides the dimensional requirements for the elements for a stoop:

Stoops	Required	Proposed
Building Setback	10 ft. min/ 15 ft. max.	11 ft. – 13 ft.
Depth	5 ft. min/8 ft. max.	5 ft.
Width	4-ft min / N/A max.	6 ft.
Floor Elevation	1 ft. min/ 4 ft. max.	>1-ft.
Allowable Encroachment	5 ft. max	<5-ft.

The proposed building complies with the dimensional requirements for a stoop frontage type.

#### Parking:

Pursuant to LDR Section 4.4.13(I), Table 4.4.13(L), residential properties in the CBD with two or more bedrooms shall provide 1.75 spaces parking spaces per unit. There are 2 spaces located within the garages. have been provided, which exceed code requirements. Guest spaces shall be 0.5 spaces per unit. Because Units 10-12 have two guest parking spaces within each driveway, guest space calculations are required for units 1-9 only, therefore requiring 5 guest spaces. Guest spaces have been provided within the interior drive and parallel to the alley. 3% of all required parking spaces must provide an alternative fuel parking space. Each unit will have an electric car charging station within the garage. Access to all parking spaces will be from the existing alley.

#### **Bicycle Parking:**

Pursuant to LDR Section 4.4.13(I)(4) bicycle parking is required. The requirement is 1 space per 2 units or 6 spaces. Additionally, one bicycle rack with no less than 4 spaces must be provided within the civic open space. The site plan denotes a rack for 6 bikes within the residential courtyard area and a four-bike rack within the civic open space.

## **Solid Waste Disposal:**

The trash and recycling must be screened from the public right of way. The applicant has indicated that the trash and recycling containers will be placed in the garage. Prior to site plan certification, a note will be added to the plan stating the trash and recycling containers will be stored in the garage.

## **Lighting:**

Pursuant to LDR Section 4.6.8, on-site lighting must be provided and be consistent with the minimum and maximum foot candle illumination level requirements. The photometric plan meets the minimum and maximum foot candle allowances within the interior drive area, civic open space and parking spaces. Section 4.4.13(J)(1)(c) states that Development on property alongside an alley shall provide street lights

as set forth in <u>Section 6.1.5</u>. **During building permit application a bond for alley lighting shall be submitted.** 

#### **Green Building Requirements:**

LDR Section 4.4.13(F)(9), contains standards reduce urban heat islands for both roofed and non-roofed areas of development within the CBD. The applicant has specified a Thermoplastic Polyolefin (TPO) white reflective roof to meet the high-reflectance and high emissivity roofing option. For the non-roofed area, the applicant is using an open grid pavement system, pavers, for the majority of the paved areas. Although 0% of open space is required, 17.6% open space has been provided. The GIAB (Green Implementation Advancement Board) reviewed this project on August 16, 2018; the Board's comments are attached to the staff report.

## **Civic Open Spaces:**

Section 4.4.13(G), requires 5% of the site's area above 20,000 sf to be civic open space. 340.6 sf is required to be provided, however, the applicant has proposed 388 sf. The civic site has been designed in the forecourt style as it is between 250 sf and 1,500 sf. The forecourt is designed per Section 4.4.13(E)(4)(d) as shown below:

Forecourts	Required	Proposed
Building Setback	10 ft. min/ 15 ft. max.	10 ft.
Depth	10 ft. min./20 ft. max.	12 ft.
Width	20-ft min / 50% facade max.	27 ft.
Floor Elevation	0 ft. min./ 3 ft. max.	0-ft.
Allowable Encroachment	N/A	N/A.

The civic open area is configured in a rectangle to meet ordinance requirements. The space contains seating, a drinking fountain, a bicycle rack, trash receptacle and a pet clean up station. The site does have an approved Crime Prevention through Environmental Design (CPTED) plan.

#### LANDSCAPE PLAN ANALYSIS

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 Section 4.6.16 shall be assured through the review and approval of a landscape plan submitted pursuant to Section 2.4.3(C). A proposed landscape plan has been submitted and evaluated by the Senior Landscape Planner and found to be in compliance. Per Section 4.4.13(E)(2)(b), tree species have been planted in the public right-of-way uniformly spaced and planted within the curb zone. Several native species were utilized in the design. Prior to building permit issuance, the property owner shall be required to enter into a maintenance agreement, in a form acceptable to the City Attorney, requiring the property owner to be responsible for and maintain any tree grates, irrigation, and landscaping installed by the property owner to meet the requirements of this section. The maintenance agreement shall be recorded.

#### ARCHITECTURAL ELEVATIONS ANALYSIS

Pursuant to LDR Section 4.4.13(F), the CBD has seven permitted architectural styles, which are described and illustrated in the <u>Central Business District Architectural Design Guidelines</u>. Pursuant to LDR Section 4.6.18(E), 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 building proposes to use the Masonry Modern style of architecture, which is identified as one of seven permitted architectural styles in LDR Section 4.4.13(F). The execution of the style exhibits many of the characteristics of the style:

- Pure geometric forms;
- Exterior spaces incorporated into the front façade such as the civic open space, residential courtyard and the stoop-style frontage;
- The required fourth floor setback, third story flat roof, being utilized as a terrace;
- The ratio of glass to wall solidifies the structure, the windows are recessed back from the exterior face of the building; this also leads to façade articulation.
- Tripartite composition meets code requirements, composition includes spaces carved from the mass:
- Materials used are smooth stucco, metal railings, tile and wood-like tile veneer and limited ornamentation;
- Walls have a smooth stucco finish as well as a tile veneer; and,
- Building facades facing the streets have transparent windows. Prior to site plan certification, a note must be added to the plans regarding the light transmission reduction of not more than 20% is permitted for transparent windows.

Given the analysis above, staff recommends approval of the Architectural Elevations, based on findings that the proposed architecture meets the intent of the design guidelines and the three criteria listed above.

#### **VISUAL IMPACT ANALYSIS**

A Visual Impact Analysis was provided. This project proposes 44,000 sf., therefore, must provide a model of the development site and all properties and structures within a 100-foot radius of the development site, as measured from the property lines of the development site. The massing of the development appears to be fairly consistent with the residential uses to the east and west of the development site. A Line of Sight Study is also required to determine the equipment screening in relation to the adjacent properties and/or public street. The Sight Line Study illustrated that all mechanical equipment is screened from the adjacent properties by utilizing opaque panels where the equipment may be visible. This includes the upper floors as well as from the public right-of-way. **Prior to site plan certification, a note will be added to the building elevations locating the opaque panels needed for mechanical screening.** 

## **REQUIRED FINDINGS**

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 part of the official record. This may be achieved through information on the application, the staff report, or minutes. Findings shall be made by the body which has the authority to approve or deny the development application. These findings relate to the following four areas.

<u>FUTURE LAND USE MAP:</u> The use or structures must be allowed in the zoning district and the zoning district must be consistent with the land use designation).

The subject property has a Future Land Use Map designation of CC (Commercial Core), and a zoning designation of CBD. It is located in the Central Core Sub-district. The CBD zoning is consistent with the Commercial Core FLUM designation. Pursuant to Table 4.4.13(A), Allowable Uses in the CBD Sub-Districts, in the Central Core, principle uses "P" include residential uses. Based upon the above, a positive finding can be made with respect to consistency with the Future Land Use Map (FLUM) designation.

<u>CONCURRENCY:</u> Facilities which are provided by, or through, the City shall be provided to new development concurrent with issuance of a Certificate of Occupancy. These facilities shall be provided pursuant to levels of service established within the Comprehensive Plan.

As described in Appendix "A", a positive finding of concurrency can be made as it relates to applicable standards such as water, sewer, streets and traffic, drainage, and solid waste.

<u>CONSISTENCY:</u> Compliance with performance standards set forth in Chapter 3 and required findings in Section 2.4.5(F)(5) for the request shall be the basis upon which a finding of overall consistency is to be made. Other objectives and policies found in the adopted Comprehensive Plan may be used in making a finding of overall consistency.

A review of the objectives and policies of the adopted Comprehensive Plan was conducted and the following applicable objective was found:

<u>Future Land Use Element - Objective A-1:</u> Property shall be developed or redeveloped in a manner so that the future use and intensity is appropriate and complies in terms of soil, topographic, and other applicable physical considerations, is complimentary to adjacent land uses, and fulfills remaining land use needs.

The proposed infill development will replace vacant land with a structures that lines the street with active uses, improving the downtown CBD. The proposed use is compatible and consistent with other existing establishments in the downtown area. Therefore, the proposed use and intensity of the development will be complementary to adjacent land uses.

<u>Transportation Element Policy D-2.2:</u> Bicycle parking facilities shall be required on all new development and redevelopment. Particular emphasis is to be placed on development within the TCEA Area.

Bicycle Parking requirements are applied to new development, expansion of an existing use, and changes of use. The proposed project has provided racks to accommodate six bicycle parking spaces for the residences and four bicycle parking spaces in the civic open area. Thus, this LDR requirement is met.

<u>COMPLIANCE WITH THE LAND DEVELOPMENT REGULATIONS (LDRs):</u> Items identified in the Land Development Regulations shall specifically be addressed by the body taking final action on the site and development application/request.

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

<u>LDR Section 2.4.5(F) (5) - Compatibility (Site Plan Findings):</u> The approving body must make a finding that development of the property pursuant to the site plan will be compatible and harmonious with adjacent and nearby properties and the City as a whole, so as not to cause substantial depreciation of property values.

The following zoning designations and uses are abutting the subject property:

	Zoning Designation:	Land Use:
North:	CBD	Vacant Lot
South:	CBD	Residential
East:	CBD	Multi-family Residential
West:	CBD	Alley / Multi-family Residential

The surrounding uses are similar residential uses. The project is compatible with the Central Business District uses and the location is within walking distances to future commercial development and current transit. Thus, a finding can be made that the use will not have a detrimental effect upon the stability of the downtown, nor will it hinder the development or redevelopment of nearby properties. Thus, positive findings can be made pursuant to LDR Section 2.4.5(F)(5).

#### **REVIEW BY OTHERS**

At the meeting of May 14, 2018, the **DDA (Downtown Development Authority)** reviewed the development proposal and recommended approval.

At the meeting of August 16, 2018, the **GIAB (Green Implementation Advancement Board)** reviewed the development proposal and the board's comments are attached to this report.

Formal public notice is not required. No comments have been received to date. Any letters of objection and/or support for this project received subsequent to publication of this report will be presented at the Site Plan Review and Appearance Board (SPRAB) meeting.

Courtesy notices has been provided to Pineapple Grove and the Palm Trail Neighborhood Association.

#### ASSESSMENT AND CONCLUSION

The Class V Site Plan development proposal is associated with the development of vacant land that was last occupied in 2016. Construction of 12 four-story fee simple townhomes, associated parking and civic open space are included in the scope of the project. The proposed residential use is consistent with Central Business District uses. The redevelopment of vacant land will provide additional residential units in a walkable area of the City. Staff has identified the proposed Masonry Modern architecture, which is one of seven styles defined for the CBD Zoning District is consistent with the code and Architectural Design Guidelines. The development will be consistent with the current policies and objectives of the Comprehensive Plan and Chapter 3 of the Land Development Regulations, subject to the notes as indicated in the staff report. The proposal is consistent with the policies of the Comprehensive Plan and can be found consistent with the Land Development Regulations.

## **ALTERNATIVE ACTIONS**

A. Continue with direction.

- B. Move approval of the, Class V Site Plan and Architectural Elevations and Landscape Plan for **52 Modern** by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Sections 2.4.5(F)(5), 4.6.16, 4.6.18(E) and Chapter 3 of the Land Development Regulations, subject to conditions.
- C. Move denial of the Class V Site Plan, and Architectural Elevations and Landscape Plans for **52 Modern**, by adopting the findings of fact and law contained in the staff report, and finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in Sections 2.4.5(F)(5), 4.6.16, 4.6.18(E) and Chapter 3 of the Land Development Regulations.

#### RECOMMENDED ACTION

## By Separate Motions:

#### Site Plan

Approve the Class V Site Plan (2018-049) for **52 Modern** located at 172, 182, and 190 NE 5<sup>th</sup> Avenue, by adopting the findings of fact and law contained in the staff report and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.5(F)(5) and Chapter 3 of the Land Development Regulations.

## Landscape Plan

Approve the Landscape Plan (2018-049) for **52 Modern** located at 172, 182, and 190 NE 5<sup>th</sup> Avenue, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in LDR Section 4.6.16.

#### **Architectural Elevations**

Approve the Architectural Elevations (2018-049) for **52 Modern** located at 172, 182, and 190 NE 5<sup>th</sup> Avenue, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in LDR Section 4.6.18(E).

### **NOTES:**

- 1. Prior to site plan certification, the building frontage chart shall be revised, the guest parking calculation shall be revised, and the setback for the 4<sup>th</sup> floor shall be added to the setback chart and a dimension showing the 10 foot setback to the window overhang along NE 5<sup>th</sup> Ave. shall be added to the site plan.
- 2. Prior to site plan certification, a note will be added to the plan stating the trash and recycling containers will be stored in the garage.
- 3. Prior to site plan certification, a note must be added to the plans regarding the light transmission reduction of not more than 20% is permitted for transparent windows.
- 4. Prior to site plan certification, a note will be added to the building elevations locating the opaque panels needed for mechanical screening.
- 5. During building permit application, a bond for alley lighting shall be submitted.

- 6. Prior to building permit issuance, the sidewalk maintenance agreement must be recorded.
- 7. Prior to building permit issuance, the property owner shall be required to enter into a maintenance agreement, in a form acceptable to the City Attorney, requiring the property owner to be responsible for and maintain any tree grates, irrigation, and landscaping installed by the property owner to meet the requirements of this section. The maintenance agreement shall be recorded.

Staff Report Prepared by: Christine Stivers, Senior Planner
Attachments: Site Plan, Architectural Elevations, Landscape Plans, Appendix "A", Appendix "B" & GIAB Memo

# APPENDIX "A" CONCURRENCY FINDINGS

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

#### Water and Sewer:

- Water Service is available via existing water mains within NE 2<sup>nd</sup> Street (6" main) and NE 5<sup>th</sup> Avenue (12" main).
- Sewer Service is available via an existing 8" sewer main within the adjacent rear alley ROW to the west.

Pursuant to the City's Comprehensive Plan, treatment capacity is available at the City's Water Treatment Plant and the South Central County Waste Water Treatment Plant for the City at build-out. Based upon the above, positive findings can be made with respect to this level of service standard.

## Streets and Traffic:

It is noted that the site is located within the City's Transportation Concurrency Exception Area (TCEA), which encompasses the CBD, CBD-RC and OSSHAD. The TCEA exempts the above-described areas from complying with the Palm Beach County Traffic Performance Standards Ordinance. Therefore, a traffic study is not required for concurrency purposes. However, a traffic statement was prepared which indicates that the project will generate an increase of 80 daily trips, an increase of 10 am peak trips and 11 pm peak hour trips. Palm Beach County Traffic Division provided a letter determining the proposed development meets the Traffic Performance Standards of Palm Beach County.

## Parks and Recreation Facilities:

Pursuant to LDR Section 5.3.2, a park impact fee of \$500.00 per each new dwelling unit (\$6,000 total) will be collected prior to issuance of a building permit.

#### Solid Waste:

The existing parcels are vacant. Based on waste generation of 0.52 tons per year for apartment or townhomes, the 12 new units will generate 6.24 tons of solid waste a year. The Solid Waste Authority has indicated that its facilities have sufficient capacity to accommodate all development proposals until 2047.

#### Drainage:

Drainage will include exfiltration trenches in the interior drives. There are no problems anticipated with respect to drainage as it relates to this standard.

	APPI	ENDIX	В		
STANDARDS	FOR	SITE	PLAN	ACTIONS	

Α.	Building design, landscaping, and lighting (glare) shall be such that they do not create
	unwarranted distractions or blockage of visibility as it pertains to traffic circulation.

Not applicable	
Meets intent of standard	X
Does not meet intent	

B. Separation of different forms of transportation shall be encouraged. This includes pedestrians, bicyclists, and vehicles in a manner consistent with policies found under Objectives D-1 and D-2 of the Transportation Element.

Not applicable	
Meets intent of standard	X
Does not meet intent	

C. Open space enhancements as described in Policies found under Objective B-1 of the Open Space and Recreation Element are appropriately addressed.

Not applicable		Х	
Meets intent of stan	dard		
Does not meet inter	nt		

D. The City shall evaluate the effect that any street widening or traffic circulation modification may have upon an existing neighborhood. If it is determined that the widening or modification will be detrimental and result in a degradation of the neighborhood, the project shall not be permitted.

Not applicable	X
Meets intent of stan	dard
Does not meet inten	nt

E. Development of vacant land which is zoned for residential purposes shall be planned in a manner which is consistent with adjacent development regardless of zoning designations.

Not applicable	X
Meets intent of stan	dard
Does not meet inter	it

F. Vacant property shall be developed in a manner so that the future use and intensity are appropriate in terms of soil, topographic, and other applicable physical considerations; complementary to adjacent land uses; and fulfills remaining land use needs.

Not applicable		X
Meets intent of stan	dard	
Does not meet intent		

G.	Redevelopment and the development of new land shall result in the provision of a variety
	of housing types which shall continue to accommodate the diverse makeup of the City's
	demographic profile, and meet the housing needs identified in the Housing Element. This
	shall be accomplished through the implementation of policies under Objective B-2 of the
	Housing Element.

Not applicable		
Meets intent of standard	Х	
Does not meet intent		

H. The City shall consider the effect that the proposal will have on the stability of nearby neighborhoods. Factors such as noise, odors, dust, traffic volumes and circulation patterns shall be reviewed in terms of their potential to negatively impact the safety, habitability and stability of residential areas. If it is determined that a proposed development will result in a degradation of any neighborhood, the project shall be modified accordingly or denied.

Not applicable		
Meets intent of standard		X
Does not meet intent		

I. Development shall not be approved if traffic associated with such development would create a new high accident location, or exacerbate an existing situation causing it to become a high accident location, without such development taking actions to remedy the accident situation.

Not applicable	
Meets intent of standard	X
Does not meet intent	

J. Tot lots and recreational areas, serving children from toddler to teens, shall be a feature of all new housing developments as part of the design to accommodate households having a range of ages. This requirement may be waived or modified for residential developments located in the downtown area, and for infill projects having fewer than 25 units.

Not applicable		Х
Meets intent of standard		
Does not meet intent		



## City of Delray Beach M E M O R A N D U M

www.mydelraybeach.com

TO: P&Z Staff

FROM: Ana Puszkin-Chevlin, Ph.D. Sustainability Officer

**DATE:** August 16, 2018

SUBJECT: GIAB's comments on 52 Modern located on NE 5th Avenue.

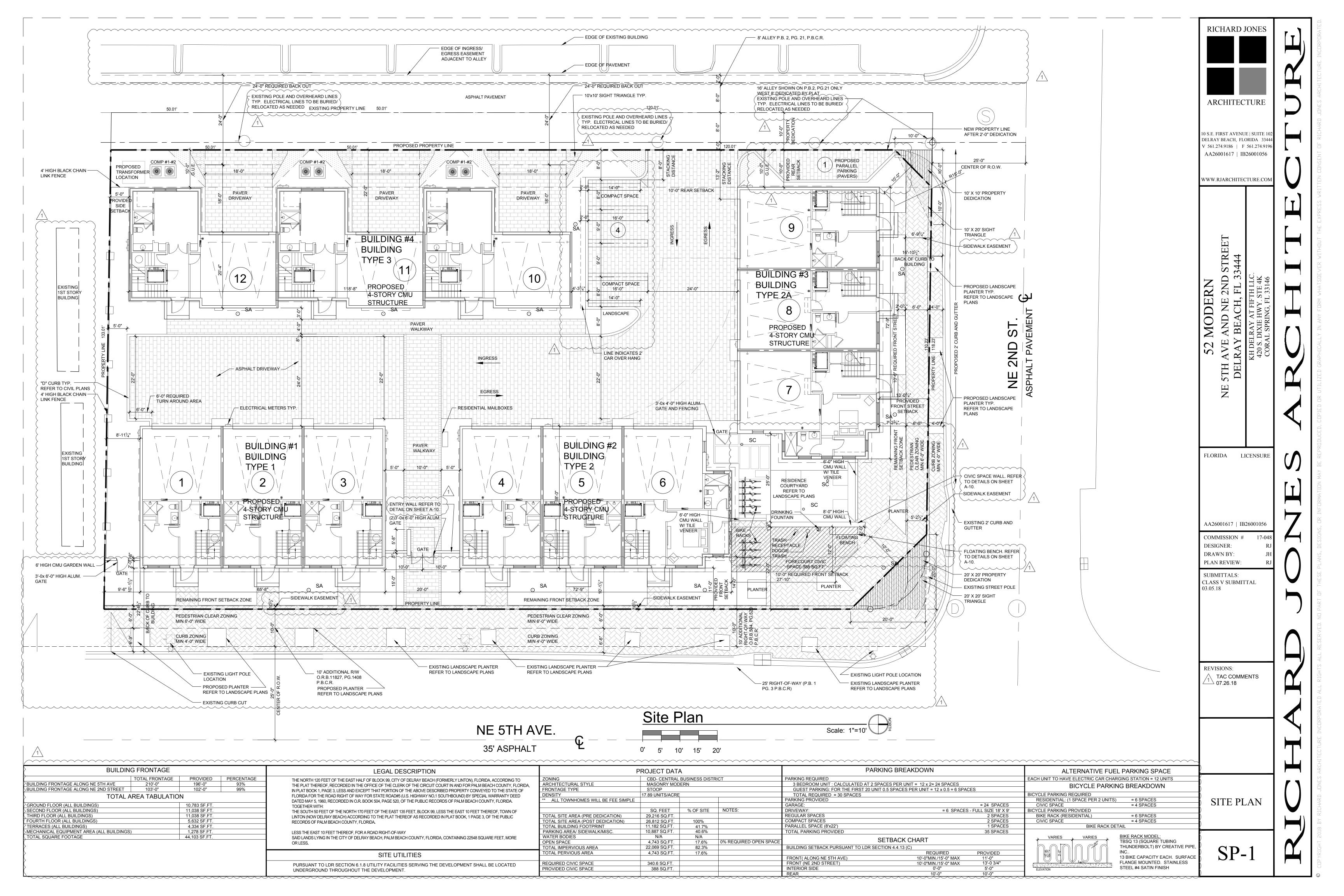
The GIAB board met on August 16, 2018 and reviewed the proposed townhomes to be constructed on the Southwest corner of NE 5<sup>th</sup> Avenue and 2<sup>nd</sup> Street. The 52 Modern townhouse project will include 12 units, in four, 4-story buildings. Each unit has a two-car garage, club room, elevator, a large terrace and stoop entry. The site plan includes an internal access driveway. Much of site is covered in pavers, but they are not permeable as the soils on site provide sufficient percolation and there are green beds at the periphery of each building, to absorb run-off.

The architect stated that the building will meet all the state energy code requirements, but is not designed to meet any green building certifications. He stated that the project will use Energy Star Appliances, LED lighting, and low flow water fixtures. The HVAC system is high sear, IC spray insulation, low E Glazing and a TPO white reflective roof. EV charging station are provided.

The development team also noted that the location is inherently "sustainable", as it is in walking distance to future commercial development and current transit. The building is being constructed to the new state requirement for 12" over Base Flood Elevation. The landscape plan includes the required native vegetation.

Based on the architect's presentation and subsequent discussion, GIAB makes the following recommendations.

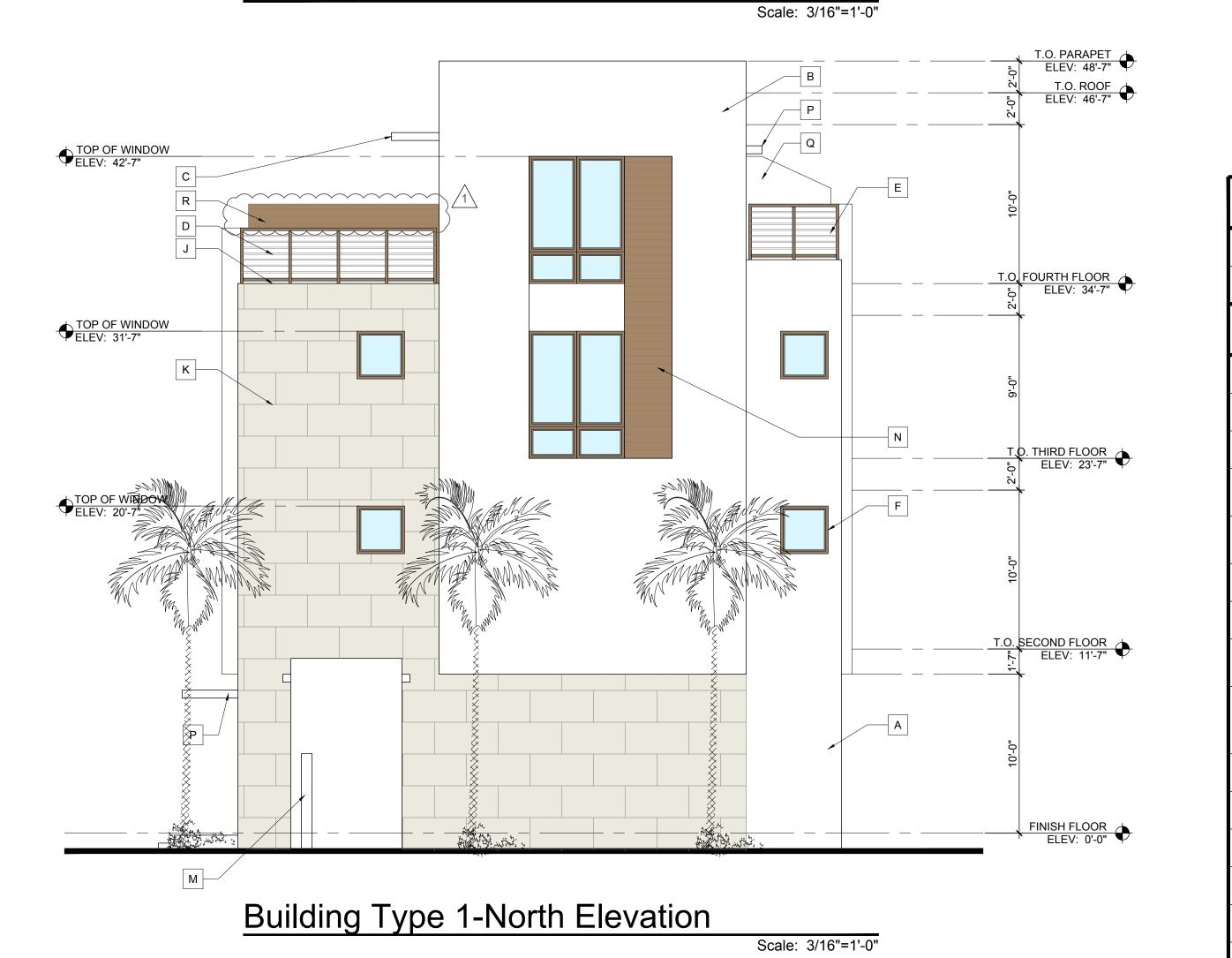
- GIAB would like the developer install solar panels to offset electrical consumption of the households. Solar hot water systems could also be installed. The roof tops seem underutilized.
- The GIAB also pointed out that generators , which are now an option, should be considered standard
- GIAB would like the developer to consider pursuing LEED or a similar green building certification, since the developer's architect stated that they estimate that they may get close to LEED Silver
- Special care should be taken to relocate any trees on site.

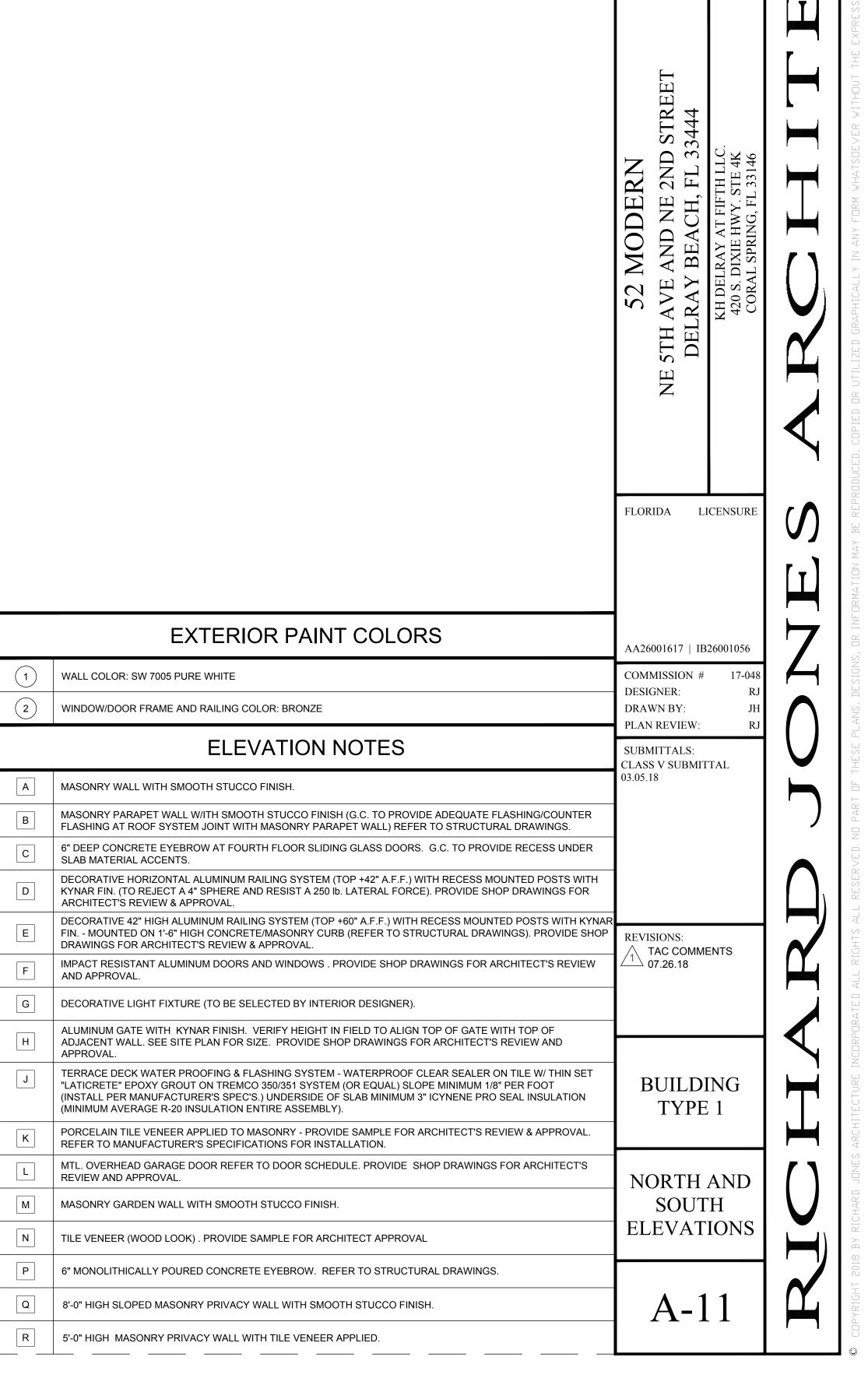






Building Type 1-South Elevation





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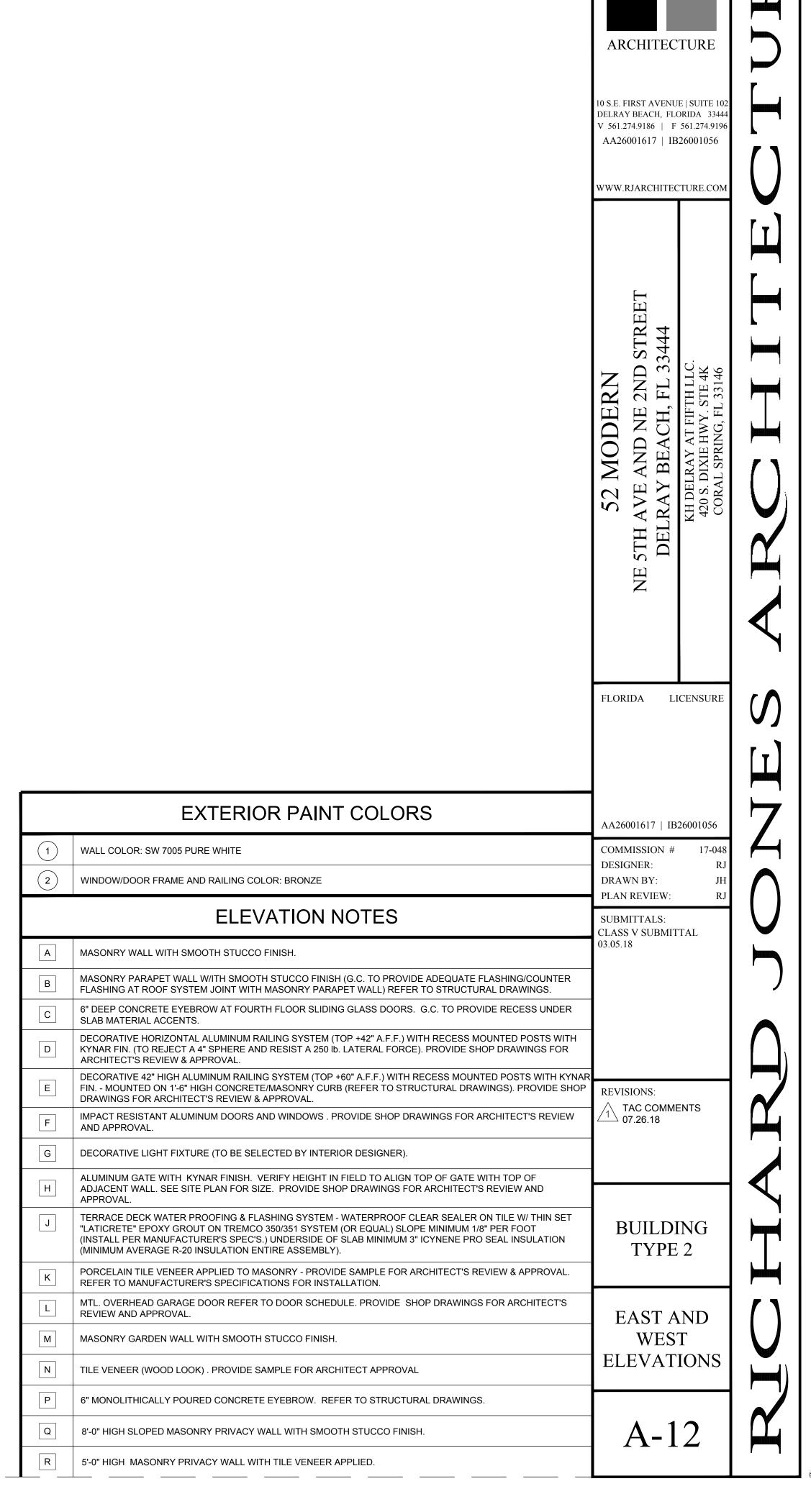
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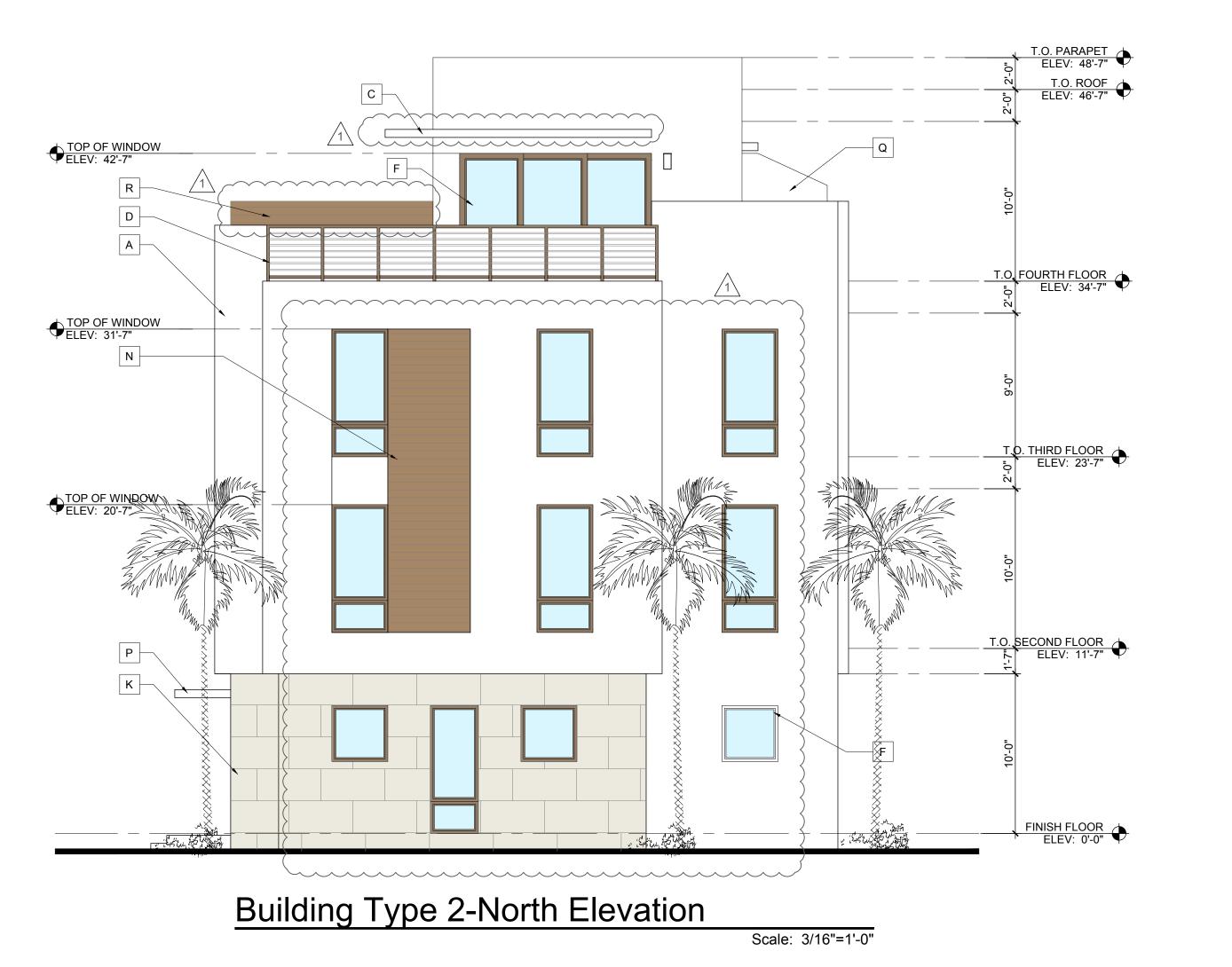
**Building Type 2-West Elevation** 

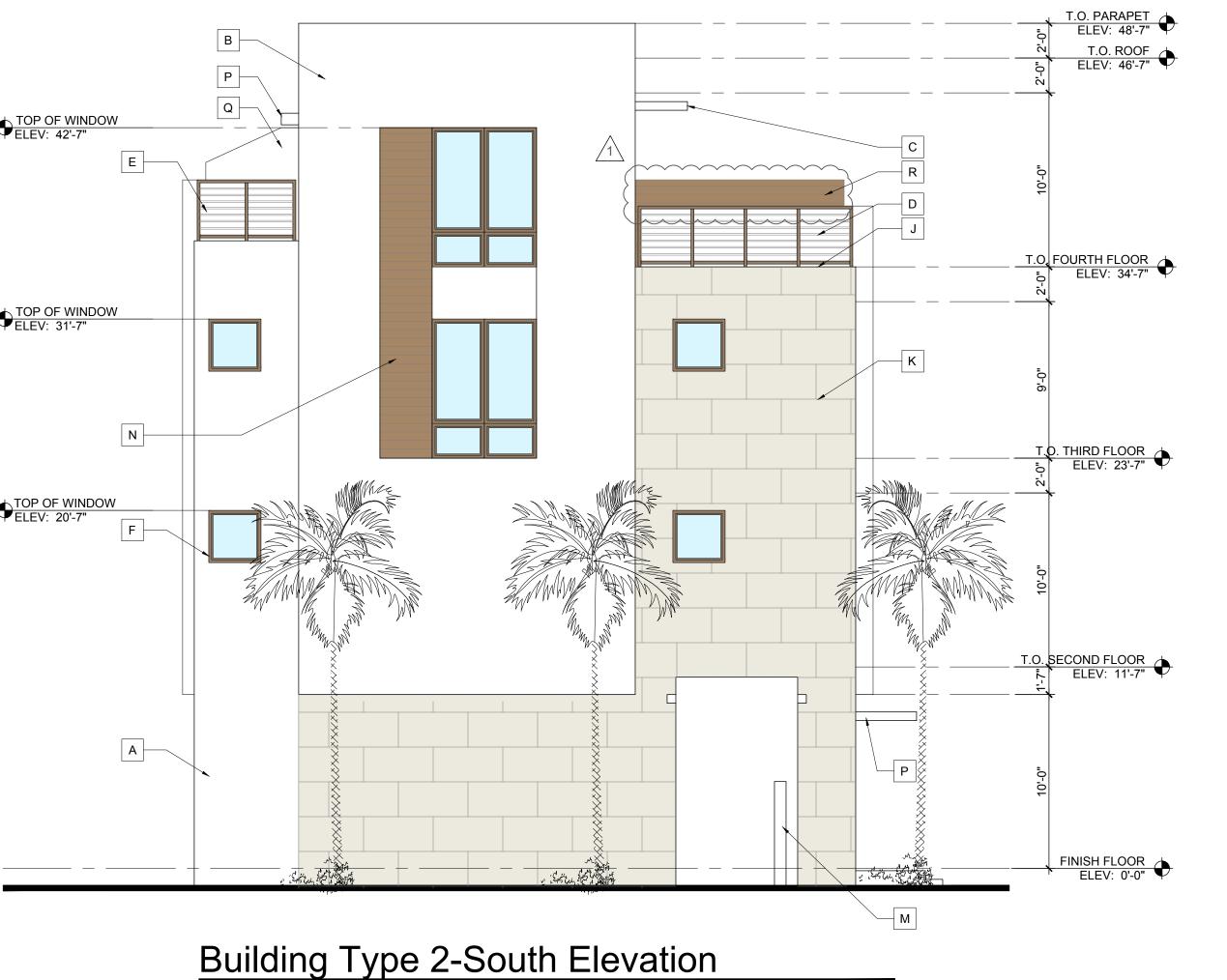
Scale: 3/16"=1'-0"



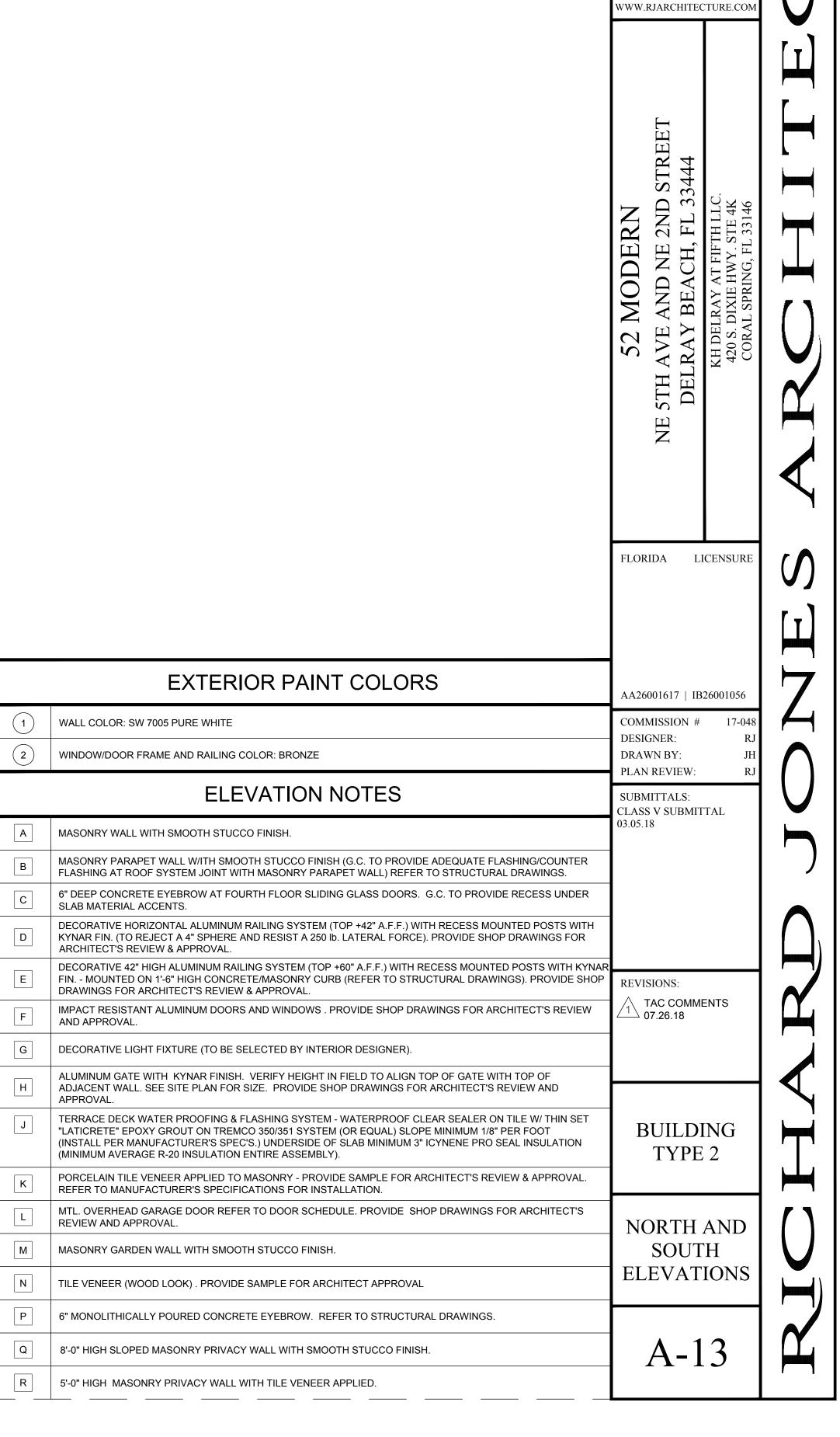
RICHARD JONES







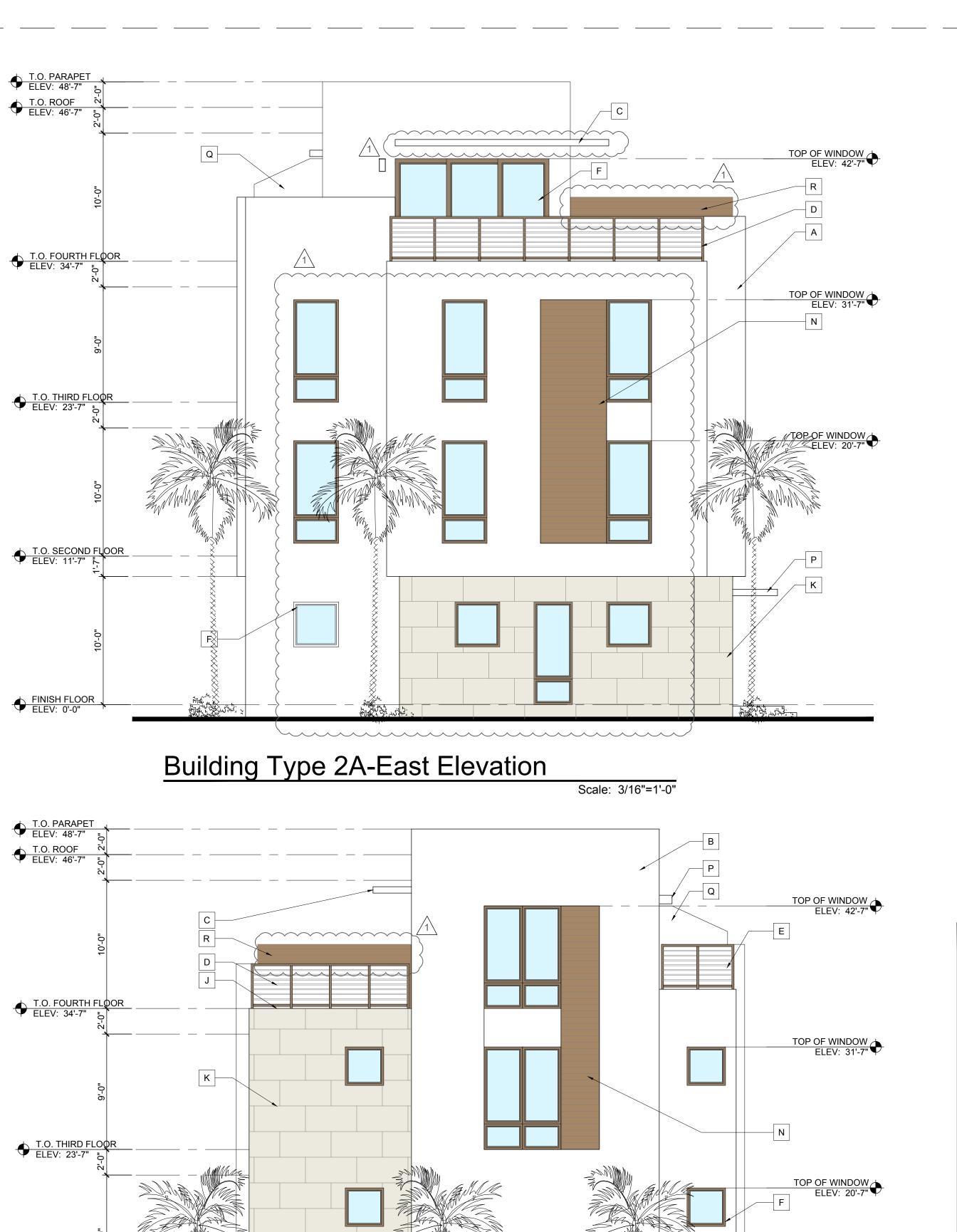
Scale: 3/16"=1'-0"



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Building Type 2A-West Elevation

Scale: 3/16"=1'-0"

**EXTERIOR PAINT COLORS** AA26001617 | IB26001056 WALL COLOR: SW 7005 PURE WHITE COMMISSION # DESIGNER: WINDOW/DOOR FRAME AND RAILING COLOR: BRONZE DRAWN BY: PLAN REVIEW: **ELEVATION NOTES** SUBMITTALS: CLASS V SUBMITTAL 03.05.18 MASONRY WALL WITH SMOOTH STUCCO FINISH. MASONRY PARAPET WALL W/ITH SMOOTH STUCCO FINISH (G.C. TO PROVIDE ADEQUATE FLASHING/COUNTER FLASHING AT ROOF SYSTEM JOINT WITH MASONRY PARAPET WALL) REFER TO STRUCTURAL DRAWINGS. 6" DEEP CONCRETE EYEBROW AT FOURTH FLOOR SLIDING GLASS DOORS. G.C. TO PROVIDE RECESS UNDER SLAB MATERIAL ACCENTS. DECORATIVE HORIZONTAL ALUMINUM RAILING SYSTEM (TOP +42" A.F.F.) WITH RECESS MOUNTED POSTS WITH KYNAR FIN. (TO REJECT A 4" SPHERE AND RESIST A 250 lb. LATERAL FORCE). PROVIDE SHOP DRAWINGS FOR ARCHITECT'S REVIEW & APPROVAL. DECORATIVE 42" HIGH ALUMINUM RAILING SYSTEM (TOP +60" A.F.F.) WITH RECESS MOUNTED POSTS WITH KYNA FIN. - MOUNTED ON 1'-6" HIGH CONCRETE/MASONRY CURB (REFER TO STRUCTURAL DRAWINGS). PROVIDE SHOP DRAWINGS FOR ARCHITECT'S REVIEW & APPROVAL. TAC COMMENTS IMPACT RESISTANT ALUMINUM DOORS AND WINDOWS . PROVIDE SHOP DRAWINGS FOR ARCHITECT'S REVIEW ightarrow 07.26.18 AND APPROVAL. DECORATIVE LIGHT FIXTURE (TO BE SELECTED BY INTERIOR DESIGNER). ALUMINUM GATE WITH KYNAR FINISH. VERIFY HEIGHT IN FIELD TO ALIGN TOP OF GATE WITH TOP OF ADJACENT WALL. SEE SITE PLAN FOR SIZE. PROVIDE SHOP DRAWINGS FOR ARCHITECT'S REVIEW AND TERRACE DECK WATER PROOFING & FLASHING SYSTEM - WATERPROOF CLEAR SEALER ON TILE W/ THIN SET BUILDING "LATICRETE" EPOXY GROUT ON TREMCO 350/351 SYSTEM (OR EQUAL) SLOPE MINIMUM 1/8" PER FOOT (INSTALL PER MANUFACTURER'S SPEC'S.) UNDERSIDE OF SLAB MINIMUM 3" ICYNENE PRO SEAL INSULATION TYPE 2A (MINIMUM AVERAGE R-20 INSULATION ENTIRE ASSEMBLY). PORCELAIN TILE VENEER APPLIED TO MASONRY - PROVIDE SAMPLE FOR ARCHITECT'S REVIEW & APPROVAL. REFER TO MANUFACTURER'S SPECIFICATIONS FOR INSTALLATION. MTL. OVERHEAD GARAGE DOOR REFER TO DOOR SCHEDULE. PROVIDE SHOP DRAWINGS FOR ARCHITECT'S EAST AND REVIEW AND APPROVAL. WEST MASONRY GARDEN WALL WITH SMOOTH STUCCO FINISH. **ELEVATIONS** TILE VENEER (WOOD LOOK) . PROVIDE SAMPLE FOR ARCHITECT APPROVAL 6" MONOLITHICALLY POURED CONCRETE EYEBROW. REFER TO STRUCTURAL DRAWINGS. 8'-0" HIGH SLOPED MASONRY PRIVACY WALL WITH SMOOTH STUCCO FINISH 5'-0" HIGH MASONRY PRIVACY WALL WITH TILE VENEER APPLIED.

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