



Development Services Department

BOARD ACTION REPORT – APPEALABLE ITEM

Project Name: Delray City Market

Project Location: Northeast corner of SE 3rd Avenue and SE 1st Street

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

Board: Site Plan Review and Appearance Board

Meeting Date: October 24, 2018

Board Action:

Approved with a 4-1 vote on each of the following requests: Class V Site Plan, Architectural Elevations, and Landscape Plans. (Vlad Dumitrescu opposed on each motion. Price Patton and Linda Purdo-Enochs were absent).

Project Description:

The subject property consists of Parcel A of the Metropolitan at Delray according to the plat thereof as recorded in Plat Book 123, Page 52 and contains approximately 0.86 acres. The property is located on the northeast corner of SE 3rd Avenue and SE 1st Street in the Central Business District (CBD) within the Central Core Sub-district (CC). The site has an approved site plan for the construction of a 48 unit, 5-story mixed-use residential/retail/office building. The current application proposes to construct 156,818 sf, 4-story mixed use establishment that consists of restaurant, retail, business uses, and a parking garage. The applicant requested, and was granted, a waiver from the fourth floor parking garage setbacks requirements. The attached staff report contains the full waiver analysis.

The proposed site plan involves the construction of a 4-story mixed use building that includes a 16,744 sf basement and an 8,193 sf mezzanine level. The basement consists of storage for the restaurants and retail uses as well as offices for the Market. The mezzanine includes office and business uses. The 26,128 sf ground floor consists of the vendor, restaurant, retail, and seating areas. Sidewalk cafes are proposed for the outer areas along the Market street facades, including the alley. A parking garage is proposed for stories 2-4, including spaces on the roof top. As this project is located in the CBD, a curb zone, which includes utilities and street trees and the pedestrian clear zone are included in the site design. 875 sf of civic open space is required to be proposed. Benches, bike racks, street trees, a water fountain and a pet waste station are included within the civic open space. The proposed architectural style is Masonry Modern which presents a flat roof, vertical windows and façade openings and a variation of stucco finishes. Building façade articulations on the parking garage levels create shadow lines emphasizing areas “cut away” from the solidity of the mass. The façade articulations as well as climbing vine help soften the mass of the fourth story. The building will be certified USGB LEED Silver as it is over 50,000 sf.

Board Comments:

Four of the five Board members were supportive of the requests for the site plan, architectural plan and the landscape plan and the waiver.

Public Comments:

No public input

Associated Actions:

1. A waiver to LDR Section 4.4.13(D) which requires front setbacks above the 3rd story to be 20-feet.

Staff recommended approval of the waiver request. The Board approved the waiver on a 4 to 1 vote (Vlad Dumitrescu opposed. Price Patton and Linda Purdo-Enochs were absent.).

Next Action:

The SPRAB action is final unless appealed by the City Commission.



SITE PLAN REVIEW AND APPEARANCE BOARD STAFF REPORT

DEVELOPMENT SERVICES DEPARTMENT

100 NW 1ST AVENUE, DELRAY BEACH, FLORIDA 33444

PLANNING & ZONING DIVISION: (561) 243-7040 • BUILDING DIVISION: (561) 243-7200

SITE PLAN REVIEW AND APPEARANCE BOARD

Meeting: October 24, 2018

File No.: 2018-180-
SPF-SPR-CL5

Application Type: Class V Site Plan, Landscape Plan,
Architectural Elevations and Waiver – Delray City Market

General Data:

Agent/Applicant: Jose Gonzalez, Gonzalez Architects

Owner: Rosebud 3rd Avenue, LLC

Location: Northeast corner of SE 3rd Ave and SE 1st St.

PCN: 12434616P30010000

Property Size: 0.86 Acres

FLUM: CC (Commercial Core)

Zoning: CBD (Central Business District)

Adjacent Zoning:

- North: CBD
- South: CBD
- East: CBD
- West: CBD

Existing Land Use: Surface parking lot.

Proposed Land Use: 156,818 SF mixed-use establishment consisting of restaurant, retail, and business with a parking garage above and basement below.

Item before the Board:

The action before the Board is for the consideration of a Class V Site Plan application for the Delray City Market pursuant to LDR Section 2.4.5 (G), including:

- ☐ Site Plan
- ☐ Landscape Plan
- ☐ Architectural Elevations
- ☐ Waiver Request for Parking Garage Setback Requirements LDR 4.4.13(D), per Ord. No. 19-18, Section 7(F)(8)(d):



Staff Recommendations:

Waiver:

Move approval of the waiver of the parking garage fourth story setback requirements for Delray City Market by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent and meets criteria set forth in Ord. No. 19-18 Section 7(F)(8)(d)1-3.

Site Plan:

Move approval of the Class V Site Plan (2018-180) for Delray City Market 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 Section 2.4.5(F)(5) and Chapter 3 of the Land Development Regulations.

Project Planner:

Christine Stivers, Senior Planner;
stiversc@mydelraybeach.com,
561-330-6056

Review Dates:

SPRAB Board: October 24, 2018

Attachments:

1. Site Plans
2. Elevations
3. Landscape Plan
4. Engineering Comments
5. Trip Generation Summary



Landscape Plan:

Move approval of the Landscape Plan for **Delray City Market** 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:

Move approval of the Architectural Elevations for **Delray City Market**, by adopting the findings of fact and law contained in the staff report, and finding that the request meets criteria set forth in 2.4.5(I)(5), and Section 4.6.18(E) and Section 4.4.13(F)(3) of the Land Development Regulations.

Background:

The subject property consists of Parcel A of Metropolitan at Delray, according to the plat thereof as recorded in Plat Book 123, Page 52 of the records of Palm Beach County, Florida containing 0.86 acres. The parcel has a Future Land Use Map (FLUM) designation of Central Core (CC) and is zoned Central Business District (CBD). The site has an approved site plan for the construction of a forty-eight (48) unit, five (5) story mixed-use residential/retail/office building that will expire on May 27, 2019. An associated Conditional Use for additional height and density is set to expire on April 7, 2019. Currently, the site contains surface parking lots.

The Conditional Use Requests, Class V Site Plan and Class II Site Plan Modification applications associated with The Metropolitan Mixed-Use Development were originally received on September 19, 2014.

On October 7, 2014, the City Commission established Zoning In Progress (Resolution No. 54-14) pending adoption of revised Land Development Regulations for the Central Building District (CBD), which included a density allowance no higher than 30% and a maximum height allowance of fifty-four feet (54') for projects within the Central Core (CC) Future Land Use Map designated areas. Zoning In Progress remained in effect until the changes (Ord. No. 03-15) were adopted by the City Commission on February 24, 2015.

On March 3, 2015, the City Commission approved a Parking Compliance Agreement between The Metropolitan, Suntrust Bank and the City of Delray Beach to resolve a 15-space parking deficit for Suntrust Bank created by future construction of The Metropolitan on existing surface parking lots owned by Suntrust Bank. This agreement calls for construction of seven (7) off-site parking spaces along the rear alley and construction of an 8-space angled parking lot east of the rear alley, to be provided exclusively for Suntrust Bank utilization in perpetuity. The City has since terminated these agreements.

On March 16, 2015, the Planning & Zoning Board recommended approval to the City Commission for conditional use requests for height and density to construct a 57' high, five-story, mixed-use development containing 48 condominium units on the combined 0.929 acre site, whereas the proposed density of 51.67 units per acre exceeds the maximum thirty (30) units per acre allowed and the proposed height of 57' exceeds the maximum 48' height permitted in the Central Core area of the Central Business District (CBD). On April 21, 2015, the City Commission approved the conditional use requests for height and density and the applicant provided clarification that the five (5) required workforce housing units would be 3BR/2BA each and provided off-site. Thus, all references to workforce housing units have been removed from the proposed development plans.

On June 10, 2015 a Class V Site Plan, Landscape Plan and Architectural Elevations were approved by the Site Plan Review and Appearance Board. Several time extensions were granted and, as discussed, the plan will expire in May of 2019.

In the current application, a completely redesigned site plan has been submitted. Before the Board is consideration of a Class V Site Plan proposal to construct 156,818 sf, four story mixed-use establishment that consists of restaurant, retail, business uses and a parking garage. Additionally the applicant is requesting a waiver from fourth floor parking garage setbacks. On October 16, 2018, City Commission will have heard the second reading of Ordinance No. 19-18 of which Section 7(F)(8)(d)1-3 gives SPRAB the authority to grant this waiver as it is site and architectural in nature.

Project Description:

The subject request includes a Class V Site Plan with waiver, Architectural Elevations, and Landscape Plan, to construct a new four-story mixed-use building that includes a basement level. The 16,744 sf basement consists of storage for the restaurants and retail uses, and market offices. The 26,128 sf ground floor consists of vendor stalls that will make up the restaurant and retail uses. An 8,193 sf mezzanine overlooks the ground floor. Business/Office space is included on the mezzanine level. The second, third and



fourth floors consist of 28,479 sf each and include 52 parking spaces on each level. An additional level of roof top parking provides 51 parking spaces. The development proposal includes a request for a waiver to LDR Section 4.4.13(D), which requires that stories above the third story must have front and rear setbacks that are 20 feet minimum. The applicant has requested a waiver of this requirement to maximize the fourth floor and roof top parking area. Ord. No. 19-18 Section 7(F)(8)(d) allows the applicant to request relief from this requirement through the Site Plan Review and Appearance Board if the three listed criteria are met. In addition to the proposed structure, a civic open space, curb zone with street trees, pedestrian clear zone, sidewalk cafes and a pedestrian pathway are proposed within the site.

The following items identified in the Land Development Regulations shall specifically be addressed by the Site Plan Review and Appearance Board (SPRAB) for final action on the site and development applications/requests, as presented.

Right-of-Way Dedications

Pursuant to LDR Section 5.3.1(A)(3), new development adjacent to existing streets is responsible for one-half of the ultimate right-of-way (ROW). ROW was previously dedicated for SE 1st Street and SE 3rd Avenue during the platting of the approved site plan for the Metropolitan.

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

Pursuant to Figure 4.4.13-5 (Central Core Regulating Plan), SE 3rd Avenue and SE 1st Street are considered Secondary Streets. Pursuant to Table 4.4.13(C), the following dimensional requirements are applicable:

PROPOSED BUILDING (CLV)	Required	Proposed
Lot Width	20 ft. min.	262 ft.
Lot Area	2,000 sf. min.	37,497 sf.
Front Setback SE 1 st Street & SE 3 rd Avenue	10 ft. min./15 ft. max.	10 ft.
Front Setback: Above 3rd Story SE 1 st Street & SE 3 rd Avenue	20 ft. min	10 ft.*
Rear Setback	10 ft. min.	10 ft.
Interior Side Setback (North)	0 ft.	0 ft.
Civic Open Space	875 sf	876.5 sf
Maximum Height	4 Stories & 54 ft.	4 Stories & 52 ft.

* Waiver requested

The proposed building complies with the dimensional requirements in Table 4.4.13(C) should the waiver of the fourth story setback requirement be granted.

Frontage Types

The ground floor of Delray City Market has retail/restaurant uses, which are permitted uses on Secondary Streets. The Market uses the storefront frontage type along both streets, which is a permitted frontage type and appropriate for the proposed uses. The storefront doors are directly accessible from the sidewalks. Entrances to the building cannot exceed 75 feet in separation distance. The public doors as well as the "garage" type doors meet this distance requirement. The table below illustrates additional Storefront requirements.

Dimensional Requirements for Storefronts		
	Required	Proposed
Building Setback	10 ft. min./15 ft. max	10 ft.
Storefront Base	9" min.	10"



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Required Openings of the width of the facade	80% min	>80%
Awning Projection	3 ft. min	Retractable awnings provide min. 3 feet when extended

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. The applicant has a distance of approximately 15 ft. from the back of curb to the building face along SE 3rd Avenue and approximately 15 ft. from SE 1st Street. Each streetscape area contains the required curb zone and pedestrian zone element within the respective setback areas, thus this requirement is met.

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 Development Services Director in consultation with the Environmental Services Director. In this application, a street tree species of Live Oaks are proposed.

Civic Open Spaces:

Section 4.4.13(G), requires 5% of the site's area above 20,000 sf to be civic open space. 875 sf is required to be provided, and, the applicant has proposed 876.5 sf. The civic open space 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.	20 ft.
Width	20-ft min / 50% facade max.	46 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, including the civic open space does have an approved Crime Prevention through Environmental Design (CPTED) plan.

Green Building requirements:

Pursuant to LDR Section 4.4.13(F)(10) buildings that are 50,000 sq. ft. or greater are required to have green building certification. **This building will be certified USGB LEED Silver, which will be noted in the Technical Notes.**

LDR Section 4.4.13(F)(9), contains standards that apply to all development in the CBD to reduce urban heat islands for both roofed and non-roofed areas. The project proposes to have cantilevered shade canopies over 30% of the parking spaces on the rooftop



level. The canopies are 10 feet in height at their highest point, but remain under the maximum height of 64 feet for accessory building structures. The project complies with the regulations.

Parking/Parking Garages

Required parking for the project is accommodated on the second, third, fourth and rooftop levels of the building within the parking garage. The parking garage ramps are visually screened from the streets. Roof top parking is visually screened with parapet walls. The openings of the garage have been designed in a manner that obscures parked vehicles. The Shared Parking Study requires a peak parking space rate of 204 spaces to be provided during the hours of 6 pm to midnight. A total of 207 parking spaces are provided within the parking garage. The garage is available for the City Market or other uses within the City. Parking fees will be charged to patrons. A minimum of 3% of the required parking spaces must be alternative fuel spaces, 6 are required and 6 have been provided. Up to 30% of the required parking spaces may be compact spaces. 59 spaces (29%) of the provided spaces are compact spaces. An existing private parking agreement will be amended to provide parking within the garage during the daytime hours as is stated in the agreement. **Prior to Building Permit issuance an amended parking agreement must be recorded.**

Bicycle Parking:

Pursuant to LDR Section 4.4.13(l)(4) bicycle parking is required. Ordinance No. 19-18 reduced the required amount of bicycle parking. The project has provided over the required number of spaces as presented below.

Use	Requirement	Units/Sq. ft.	Number Required
Commercial/Restaurant	38,213 sf	1/1,000 sq. ft.	38
Business/Office	7,315 sf	1/2,000 sq. ft.	4
Total Bicycle Spaces Required			42
Total Bicycle Spaces Provided			80

Bicycle parking is located throughout the site, near the entrances to the building including either side of the civic area. No bicycle parking is proposed within the garage.

Refuse Enclosure:

The trash and recycling room for the building is located within the rear of the building in a refrigerated area. Trash and recycling pick up is from the alley. Pursuant to LDR Section 4.6.6(C)(1), dumpsters, recycling containers and similar service areas must be enclosed on three sides with vision obscuring gates on the fourth side, unless such areas are not visible from any adjacent public rights-of-way. The new building will be serviced from a loading area accessed from the rear alley. The site plan and eastern elevations indicate that this requirement has been met.

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 project has provided photometric plans for the parking garage and surrounding site. The light levels on the ramps have maximum of 10.0 ft. candles and minimum of 2.0, which is within the required levels for both day and night. The parking areas have levels between 10 and 1.0, which fall within the minimum and maximum levels for both day and night levels.

The photometric plan for the ground floor is provided on Sheet L802 with the fixture details on Sheet L801. The lighting on the ground floor is provided though pole lights, and LED wall luminaires. The plan proposes street lighting that is the City's standard pole and acorn fixture. The lighting levels provided meet the minimum and maximum foot candle allowances.

The photometric plan for the roof top parking is provided on Sheet A1.12 with the fixture details on Sheet A1.13. Lighting is provided on poles 16 feet in height. The code limits pole height to 15 feet if located within 20 feet of the edge of the structure, otherwise the pole height maximum is 20 feet. Poles are located greater than 20 feet from the edge of the structure. Lighting levels are within the minimum and maximum permitted levels.

Landscape 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 prior to building permit issuance.**

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 Central Business District Architectural Design Guidelines. 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 elevations exhibits many of the characteristics of the style:

- Pure geometric forms;
- Exterior spaces incorporated into the front façade such as the civic open space, and façade articulation of stories 2-4.
- 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 of white and gray color, gray color emphasizes the recesses of the building;
- The ground floor of the building is emphasized with glass while the middle and top are more solid;
- Eyebrows are utilized to provide shade; and,
- Building facades facing the streets have transparent windows.

Additionally, areas of the building that face the alley have several areas reserved for murals to be reviewed in a future application.

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 158,818 sf., therefore, the applicant provided a model of the development site and all properties and structures within a 500-foot radius of the development site, as measured from the property lines of the development site. The massing of the development appears to be consistent with the buildings to the south and across the railroad tracks, to the west. The uses that back onto the alley to the east of the development site are one and two story which negate a "canyon" effect along the alley. A Line of Sight Study was provided to determine the equipment screening in relation to the adjacent properties and/or public street. The Sight Line Study provided illustrates that all mechanical equipment is screened from the adjacent properties. This includes the upper floors of adjacent buildings, as well as from the public right-of-way.

Waiver of 4th Story Setback

The structure provides parking on the second, third and fourth floors as well as on the rooftop. The fourth floor setback is the subject of the waiver request. In order to maximize the efficiency of the upper levels of the proposed parking garage, a waiver for 4th story setback requirements has been requested.



Setback waiver. To maximize the efficiency of a parking garage, parking garages or the garage portion of the building may request a waiver by Site Plan Review and Appearance Board, or HPB if located in Historic District, from the setback requirements of Section 4.4.13(D) (for portions of the building above three stories) subject to compliance with the following requirements:

1. The garage or the garage portion of the building elevation provides unified design elements with the main building through the use of similar materials and color, vertical and horizontal elements, and architectural style.

Staff Analysis Criteria #1:

As shown on the elevations, the fourth floor provides unified design elements with the lower level garage areas as well as design elements from the building as a whole. The window proportion is vertical with building articulation across the façade. Stucco is used as the primary finish throughout the building with a darker paint to accentuate the articulations. This criteria has been met.

2. In OSSHAD and on Secondary Streets in the CBD, a minimum 50 percent of the ground floor perimeter of the garage or the garage portion of the building adjacent to street rights-of-way shall be devoted to window displays or floor area for active uses such as retail stores, personal and business service establishments, entertainment, offices, etc. This number may be reduced by the Site Plan Review and Appearance Board or the Historic Preservation Board. On Primary Streets in the CBD, the perimeter of the garage or the garage portion of the building adjacent to the street rights-of-way shall be lined by active uses (see Section 4.4.13(C)).

Staff Analysis Criteria #2:

The development is located on Secondary Streets, however, the parking garage elements of the development proposal are on the second through the fourth stories. The first story of the development proposal is restaurant and retail use which meets the requirement. This criteria has been met.

3. Architectural features shall be incorporated into the facade to mitigate the building's mass and bulk and along portions of the building adjacent to street rights-of-way.

Staff Analysis Criteria #3:

The proposed building has incorporated recesses in the area of the civic open space as well as at intervals along the façade where the parking garage is, including the fourth floor. Climbing vine is also proposed to help soften the façade. As noted previously, modern masonry architecture exhibits areas that appear carved away from the solid mass. The proposed articulations within the upper floors assist in mitigating the building bulk and mass. This criteria has been met.

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.

FUTURE LAND USE MAP: 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 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 retail, restaurant uses and business. Based upon the above, a positive finding is made with respect to consistency with the Future Land Use Map (FLUM) designation.

CONCURRENCY: 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 is made as it relates to applicable standards such as water and sewer, drainage, and solid waste. Regarding streets and traffic, a letter from Palm Beach County stating the traffic impact



addressing the proposed development program is within the County's standards is required prior to site plan certification.

CONSISTENCY: 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 and policy was found:

Future Land Use Element - Objective A-1: 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 development will replace a surface parking lot with a four-story building that lines the street with active uses and a new civic open space as well as providing parking for the proposed development that can be utilized by the public, improving the downtown CBD. The proposed uses are compatible and consistent with other existing establishments in the downtown area providing an additional destination for visitors to the City. Therefore, the proposed use and intensity of the development will be complementary to adjacent land uses.

Transportation Element Policy D-2.2: 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 80 bicycle parking spaces. Thus, this LDR requirement is met.

COMPLIANCE WITH THE LAND DEVELOPMENT REGULATIONS (LDRs): 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 is made.

LDR Section 2.4.5(F) (5) - Compatibility (Site Plan Findings): 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:

	<i>Zoning Designation:</i>	<i>Land Use:</i>
<i>North:</i>	CBD – Central Core Sub-district	Service (Banking)
<i>South:</i>	CBD – Central Core Sub-district	Residential
<i>East:</i>	CBD – Central Core Sub-district	Office and Retail
<i>West:</i>	CBD – Central Core Sub-district	Vacant Land

The surrounding uses are a wide mix, including office, retail, service and residential, typical of development in the Central Core Sub-district of the CBD. The project is compatible with the surrounding uses and consistent with the mixed-use district. 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 is made pursuant to LDR Section 2.4.5(F)(5).

Review by Others:

At the meeting of September 10, 2018, the DDA (Downtown Development Authority) reviewed the development proposal and voted in support of the project.

Courtesy Notice:



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

- Osceola Park
- Pineapple Grove
- OSSHAD
- Marina Historic District

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

Assessment and Conclusion:

The Class V Site Plan with waiver, Architectural Elevations, and Landscape Plan are associated with the construction of a four-story building with restaurant and retail spaces on the ground floor, offices on the mezzanine, basement storage and parking garage use on upper stories including the rooftop level. A waiver to the parking garage setbacks above the 3rd story has been requested. Through criteria analysis, Staff supports the waiver request. The restaurant, retail and parking garage 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 conditions as indicated in the staff report. Therefore, positive findings are made with respect to Section 2.4.5(F)(5), 4.6.16, and LDR Section 4.6.18(E).

Alternative Actions:

- A. Continue with direction.
- B. Move approval of the Class V Site Plan with waiver, Landscape Plan, and Architectural Elevations for **Delray City Market**, 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), 2.4.5(I)(5), 4.6.16, 4.6.18(E), Chapter 3 of the Land Development Regulations and Ord. No. 19-18 Section 7(F)(8)(d)1-3.
- C. Move denial of the Class V Site Plan with waiver, Landscape Plan, and Architectural Elevations for **Delray City Market**, by finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in Sections 2.4.5(F)(5), 2.4.5(I)(5), 4.6.16, 4.6.18(E), Chapter 3 of the Land Development Regulations and Ord. No. 19-18 Section 7(F)(8)(d)1-3.

Recommended Actions:

By Separate Motions:

Waiver:

Move approval of the waiver of the parking garage fourth story setback requirements for **Delray City Market** by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent and meets criteria set forth in Ord. No. 19-18 Section 7(F)(8)(d)1-3.

Site Plan:

Move approval of the Class V Site Plan (2018-180) for **Delray City Market** 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 Section 2.4.5(F)(5) and Chapter 3 of the Land Development Regulations.

Landscape Plan:

Move approval of the Landscape Plan for **Delray City Market** 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:



Move approval of the Architectural Elevations for **Delray City Market**, by adopting the findings of fact and law contained in the staff report, and finding that the request meets criteria set forth in 2.4.5(l)(5), Section 4.6.18(E) and Section 4.4.13(F)(3) of the Land Development Regulations.

NOTES:

If the site plan and associated plans are approved, the following must be addressed prior to site plan certification or building permit issuance, as noted:

1. An updated boundary survey reflecting the parcels within the project scope, along with updated project information and easements shall be provided prior to site plan certification.
2. Prior to issuance of a building permit, the sidewalk maintenance agreement acceptable to the City Attorney, must be recorded.
3. This building will be certified USGB LEED Silver per LDR section 4.4.13(F)(10).
4. Prior to Building Permit issuance, an amended parking agreement must be recorded. **(to be removed from requirements)**
5. 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.
6. Street lights design along the alley shall be provided at building permit application.
7. Palm Beach County TPS standards must be met prior to site plan certification.
8. Site must be platted prior to building permit issuance.
9. Outstanding Engineering items listed in City Engineer's review dated October 4, 2018, must be addressed prior to building permit application.

Staff Report Prepared by: *Christine Stivers, Senior Planner*

Attachments: *Appendix "A", Appendix "B", Engineering Comments, Trip Generation Summary*

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 an existing 8" water main within the adjacent alley to the east.
- Sewer Service is available via an existing 8" sewer main within the adjacent alley to the east.

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 and OSSHAD zoning districts. A Trip Generation Analysis was prepared, which indicates that a development of shopping center, would result in an additional 2,366 Average Daily Trips, 24 net new AM peak hour trips, and 97 net new PM peak hour trips. To date, a letter from Palm Beach County Traffic Division has not been received regarding review of the proposed project and determined the project meets the Traffic Performance Standards of Palm Beach County. The letter from Palm Beach County indicating the projects meets the TPS is a condition of site plan certification.

Parks and Recreation Facilities:

Pursuant to LDR Section 5.3.2, a park impact fee of \$500.00 per each new dwelling unit is not applicable.

**Solid Waste:**

The proposed 31,816 sq. ft. restaurant generates approximately 396 tons of solid waste per year and the 6,397 sq. ft. retail generates approximately 32.6 tons of solid waste per year and the proposed 7,315 office space generates 19.75 tons of solid waste per year with a total of 448.35 additional tons per year. The Solid Waste Authority has indicated that its facilities have sufficient capacity to accommodate all development proposals until 2047.

Drainage:

Drainage will be accommodated on site. No problems for adjacent properties are anticipated with respect to drainage as it relates to this standard.

APPENDIX "B" - STANDARDS FOR SITE PLAN ACTIONS Sec. 3.2.3 (A) through (J)

- A. Building design, landscaping and lighting (glare) shall be such that they do not create unwarranted distractions or blockage of visibility as it pertains to traffic circulation.
- ☐ Not applicable
☒ Meets intent of standard
☐ Does not meet intent
- B. Separation of different forms of transportation shall be encouraged. This includes pedestrians, bicyclists and vehicles in a manner consistent with policies found under Objectives D-1 and D-2 of the Transportation Element.
- ☒ Not applicable
☐ Meets intent of standard
☐ Does not meet intent
- C. Open space enhancements as described in Policies found under Objective B-1 of the Open Space and Recreation Element are appropriately addressed.
- ☐ Not applicable
☒ Meets intent of standard
☐ Does not meet intent
- D. The City shall evaluate the effect that any street widening or traffic circulation modification may have upon an existing neighborhood. If it is determined that the widening or modification will be detrimental and result in a degradation of the neighborhood, the project shall not be permitted.
- ☐ Not applicable
☒ Meets intent of standard
☐ Does not meet intent
- E. Development of vacant land which is zoned for residential purposes shall be planned in a manner which is consistent with adjacent development regardless of zoning designations.
- ☒ Not applicable
☐ Meets intent of standard
☐ Does not meet intent
- F. Property shall be developed or redeveloped in a manner so that the future use and intensity are appropriate in terms of soil, topographic, and other applicable physical considerations; complementary to adjacent land uses; and fulfills remaining land use needs.
- ☐ Not applicable
☒ Meets intent of standard
☐ Does not meet intent
- G. Redevelopment and the development of new land shall result in the provision of a variety of housing types which shall continue to accommodate the diverse makeup of the City's demographic profile and meet the housing needs identified in the Housing Element. This shall be accomplished through the implementation of policies under Objective B-2 of the Housing Element.



- ☒ Not applicable
- ☐ Meets intent of standard
- ☐ Does not meet intent

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

- ☐ Not applicable
- ☒ Meets intent of standard
- ☐ Does not meet intent

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

- ☐ Not applicable
- ☒ Meets intent of standard
- ☐ Does not meet intent

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

- ☒ Not applicable
- ☐ Meets intent of standard
- ☐ Does not meet intent



City of Delray Beach

Development Services Engineering

T A C C O M M E N T S

TO: Christine Stivers, Senior Planner **via email**

FROM: Patrick A. Figurella, PE, City Engineer

ISSUE DATE: October 4, 2018

PROJECT: Delray City Market TAC ID-795

The subject plans have been reviewed for technical compliance with the City of Delray Beach Land Development Regulations and the Minimum Construction Standards and Specifications Details version 2014. All Preliminary Engineering Technical Comments must be addressed in order to obtain Engineering clearance for Site Plan Certification. Receipt of Site Plan Certification does not imply that the applicant has submitted a complete set of Construction Drawings. All Final Engineering Comments must be addressed in order to obtain Engineering clearance for a permit from the Building Permit Department. Once Site Plan Certification has been obtained, any remaining Final Engineering Comments will be reviewed as part of the Building Permit review process.

Preliminary Engineering Technical Comments:

1. **Provide a response letter with a detailed description of how each of these comments has been addressed and reference plans sheet number for accurate review.**

Applicant's 1st Response: Please allow this letter to serve as the Response Narrative.

2nd Review Comment: Comment Addressed.

2. Please provide a 5' Right-of-Way Dedication on the west side of Parcel 2 for SE 3rd Avenue and a 2' Right-of-Way Dedication for the alley on the east side.

Applicant's 1st Response: The ROW dedications have been added to the plans as indicated.

2nd Review Comment: Comment Not Addressed. The 5' dedication is shown for the west side, but the east side is shown at 3' and not 2'. Please reduce the alley-side dedication to 2'. These dedications will be required before the building permit will be issued.

Applicant's 2nd Response: As indicated by City Staff, since Parcels 2 & 3 as indicated on the survey are not included in this application, no R/W dedications will be made. These references have been removed from the plans.

3rd Review Comment: Comment Not Addressed. The plans still show work in Parcel 2 and therefore the Right-of-Way dedications are still required.

3. The Survey, Plat, Site Plan, Landscaping Plan and Preliminary Engineering Plan needs to be at the same scale. All plans need to be drawn on 24" x 36" sheets and at a scale of 1" = 10', 1" = 20' or 1" = 30' per LDR Section 2.4.3 (B) (1) and (D) (1). The Landscaping Plans are drawn at Architectural scales. Please change them to 1" = 20' to match the other plans.

Applicant's 1st Response: Please see the revised LS Plans.

2nd Review Comment: Comment Addressed.

4. Provide Preliminary Engineering Plans with information and format in accordance with LDR Section 2.4.3 (B) and (D) and the City of Delray Beach Minimum Construction Standards and Specifications per LDR Section 2.4.3 (F). Engineering Plans shall be prepared by a Florida registered professional engineer. Engineering Plans are to be done on a survey base sheet. All existing facilities are to be delineated on the Engineering Plans. Engineering Plans shall have existing and proposed spot elevations showing changes of elevations of not more than 2-feet, throughout the site and at a minimum distance of 10-feet into all adjacent properties per LDR Section 2.4.3 (B) (20) and (D) (2). Provide sufficient elevations to ensure proposed improvements will not have a negative impact on surrounding drainage and to establish historical storm water flow. There are no proposed grades on the Preliminary Engineering Plan.

Applicant's 1st Response: The proposed Site Plan shows elevations for the existing curbs that will remain and the proposed finished floor for the building. These features have less than 2-feet difference in their elevation which complies with the LDR references indicated. Additional spot elevations have been added to allow Staff to better understand how the improvements will work.

2nd Review Comment: Comment Not Addressed. The proposed grades added are OK, but before the building permit is issued there will need to be a lot more proposed elevations shown. What is not addressed is the area of ponding in the parallel parking spaces along SE 3rd Avenue and SE 1st Street. The grades show a long flat area of curbing on SE 3rd and no way for the water to get out of the parking spaces on either street. Please provide drainage structures to collect that runoff and tie it into the City system at the intersection of SE 3rd Avenue and SE 1st Street so it does not mingle with site drainage and add to that burden.

Applicant's 2nd Response: The Building Permit submittal will include more grading details that will be necessary for construction of the sidewalks and proposed ingress/egress to the building as indicated above.

The proposed inlet shown on the north side of SE 1st Street in the low area in the existing parallel parking will be relocated and changed to a curb inlet to provide drainage for that area. This inlet will be connected to the existing 24" RCP that runs along the south side of SE 1st Street and will provide an additional inlet in the area indicated above, to address Staff's concern.

3rd Review Comment: Comment Not Addressed. The drainage concerns have been addressed and you have shown the 50' milling and resurfacing to fix the pavement, which is also correct. Can you please adjust the milling and resurfacing on SE 3rd Avenue so that both the lanes are milled for the 50', right now it follows parallel to the pipe repair, which looks like a trench repair and will leave a long patch line in the roadway.

5. Indicate sight distances at all ingress/egress points and all intersections. Sight triangles must be indicated on Landscape and Engineering plans per LDR Section 4.6.14. All visual obstructions within the site visibility shall provide unobstructed cross-visibility at a level between 3-feet and 6-feet, this includes tree trunks. There are sight triangles shown for the alley intersection with SE 1st Street but none are shown for the driveway on SE 1st Street.

Applicant's 1st Response: *Sight triangles have been added for the driveway on SE 1st Street as noted.*

2nd Review Comment: **Comment Not Addressed. The sight triangles were added but they were added to the old Right-of-Way lines and not the new ones. Please shift the triangles to the new Right-of-Way lines. Also, the driveway sight triangles are 10' x 10', not 10' by 20'. The east side driveway sight triangle is missing. You may delete the triangles that are shown on the properties east of and west of your site.**

Applicant's 2nd Response: *The Sight Triangles have been revised as noted above as shown on Sheet CS-100.*

3rd Review Comment: **Comment Addressed.**

6. For clarity, please remove references from the plan sheets to Tract RW. That information was derived from the Plat which has already been recorded and does not need to be shown on the proposed plans.

Applicant's 1st Response: *The Tract R/W line has been removed from the Site Plan.*

2nd Review Comment: **Comment Not Addressed. It is removed from the Site Plan but not the Composite Overlay Plan. Please also remove the Lot and Block lines and numbers from the plans. Those were eliminated by the recordation of the Metropolitan Plat.**

Applicant's 2nd Response: *The Tract R/W line has been removed from the Composite Overlay Plan as indicated above.*

3rd Review Comment: **Comment Addressed.**

7. Indicate the manner in which all utility services are to be provided to the site and to individual structures on the site per LDR Section 2.4.3 (B) (14). Water and sewer are shown, but please be aware that undergrounding of utility facilities are required per LDR Section 6.1.8.

Applicant's 1st Response: *The proposed FPL service location has been added to the plans as requested and is shown from the existing overhead lines located in the alley on the west side of the project.*

2nd Review Comment: **Comment Not Addressed. I see the information on the Site Plan but it needs to be reflected on the Engineering Plans.**

Applicant's 2nd Response: *The Site Plan and Preliminary Engineering Plans have been updated to match so that the FPL service location is now shown consistently.*

3rd Review Comment: **Comment Addressed.**

8. Please ensure that the dry utilities fit in the existing General Utility Easement (GUE) as shown on the Plat.
- Applicant's 1st Response:* N/A – The easements shown on the survey will be vacated once the new site plan is approved, and a new Survey provided at that time.
- 2nd Review Comment:** **Comment Not Addressed.** If the G.U.E.'s shown on the Metropolitan plat are to be changed, then you will need to do an easement abandonment and create new G.U.E.'s, and that must be shown on the plans. With new easements and Right-of-Way Dedications, please create a Plat for this project.
- Applicant's 2nd Response:* See proposed GUE as indicated on the attached Preliminary Engineering Plan and the Composite Overlay Plan, Sheets CS-100, and CS-102 respectively. This GUE largely corresponds to the location and size of an existing GUE as indicated on the survey.
- The existing GUE and all other existing easements will be abandoned through the replat process as required by Chapter 177, FS.
- 3rd Review Comment:** **Comment Not Addressed.** Yes, the Plat will correct the easements but there needs to be a GUE shown at the new FPL transformer location. The easement to cover the water main at the Southeast corner of the property needs to be a Water Easement, not a GUE, and it must go all the way to the property line at SE 1st Street. This comment will be addressed when all the easements are shown correctly.
9. Palm Beach County Health Department permit may be required for this project.
- Applicant's 1st Response:* Noted, thank you.
- 2nd Review Comment:** **Comment Addressed.**
10. Submit South Florida Water Management District (SFWMD) permit or permit modification in accordance with LDR Section 2.4.6(J).
- Applicant's 1st Response:* This will be submitted at the time of the Building Permit Application.
- 2nd Review Comment:** **Comment Addressed.**
11. Clearly dimension driveway width on Engineering Plans.
- Applicant's 1st Response:* The proposed driveway width has been added as requested.
- 2nd Review Comment:** **Comment Addressed.**
12. Provide parking signs and markings in accordance with LDR Section 4.6.9 (D)(6) and latest version of City Construction Standard Details. There are no signing or pavement marking plans in the submittal at all.
- Applicant's 1st Response:* Stop signs and Stop Bars are indicated where required.

2nd Review Comment: **Comment Addressed.**

13. There is an existing driveway on the west property line. The plans do not show how the closure of the driveway is being accomplished on SE 3rd Avenue. The parallel parking spaces will need to be adjusted accordingly.

Applicant's 1st Response: *The existing driveway is noted as to be closed and the parallel parking stalls are added to indicate how they will be located along that frontage.*

2nd Review Comment: **Comment Addressed.**

14. Please provide additional detail for the improvements to the parallel parking spaces on SE 3rd Avenue.

Applicant's 1st Response: *See detail for parallel parking stalls added to sheet CS-101.*

2nd Review Comment: **Comment Addressed.**

15. Provide a minimum 5-foot wide sidewalk adjacent to right-of-way line per LDR Section 6.1.3. It is not evident on the Preliminary Engineering Plans where sidewalks stop, start or are located at all. There are also no curb ramps shown at the driveway or the alley on the south side of the site. It is also not evident how the sidewalk continues at the northwest corner of the site.

Applicant's 1st Response: *The sidewalk locations have been clarified on sheet CS-100 in addition to the 6' Clear Sidewalk route.*

2nd Review Comment: **Comment Not Addressed. The sidewalks are more clearly shown, but the curb ramps are still not shown at any locations except the intersection of SE 3rd Avenue and SE 1st Street.**

Applicant's 2nd Response: *The sidewalk widths and curb ramps are indicated on the Preliminary Engineering Plan Sheet CS-100 and are shown on the Typical Sections A & B on Sheet CS-101.*

3rd Review Comment: **Comment Not Addressed. I apologize for not seeing this during the previous submittal, but please show dual ramps at the intersection of SE 3rd Avenue and SE 1st Street so that East-West and North-South pedestrian traffic will have their own ramps.**

16. The plans do not show the limits of existing and proposed curbing, paving, and sidewalks.

Applicant's 1st Response: *Note 3 has been added to Sheet CS-100 to clarify the location of existing and proposed improvements around the perimeter of the project.*

2nd Review Comment: **Comment Not Addressed. Please show a match line of where the new curb ties into existing curb. That happens at either side of Parcel 2 and the plans do not show where the new curb stops and existing the curb remains. Please add a callout for sawcutting and matching existing curb.**

Applicant's 2nd Response: *The match location where the existing curb and new curbs meet has been added to the Preliminary Engineering Plan as indicated above on Sheet CS-100.*

3rd Review Comment: **Comment Addressed.**

17. Please show repairing the pavement cuts required to make the water and sewer connections. On SW 3rd Avenue and SE 1st Street include milling and resurfacing 50' in either direction from the pavement cuts.

Applicant's 1st Response: See pavement cut locations and Mill and Resurface as indicated on Sheet CS-100.

2nd Review Comment: **Comment Addressed.**

18. Provide the required 6' back out space in the parking garage for spaces 208, 309, 409 & 508.

Applicant's 1st Response: Please see the revised plans, indicating the required back out area in a graphic manner, for clarity.

2nd Review Comment: **Comment Addressed.**

19. The column appears to be encroaching on parking space 234, 334, 434, & 533.

Applicant's 1st Response: Please see the revised plans, for clarification.

2nd Review Comment: **Comment Addressed.**

20. Provide AutoTurn analysis of the "down" vehicle path, which appears to be very tight. It does not appear that a vehicle could travel down the ramps and stay on the correct side of the aisle.

Applicant's 1st Response: Please see the revised SHT. A1.08 for clarification.

2nd Review Comment: **Comment Not Addressed. The down path was added, but there is one more turn to add – the westbound to northbound down path. The current path stops at this turn without making it.**

Applicant's 2nd Response: This comment is addressed by Gonzalez Architects since the parking lot design is internal the structure and part of their design.

3rd Review Comment: **Comment Addressed. The path had been modified.**

21. The columns between spaces 227 and 330, 328 and 331, and 428 and 431 encroach on the 24' aisle width making it less than 24' wide.

Applicant's 1st Response: Please see the revised plans for clarification.

2nd Review Comment: **Comment Addressed.**

22. While there appears to be 24' between other groups of columns, the spacing of the columns and the parking spaces does not match and therefore the 24' aisle shifts constantly down the parking aisle to the left and right in a 9' distance. This effectively shrinks the aisle width to 22', making it too narrow.

Applicant's 1st Response: Please see the revised plans, for clarification. The minimum of 24' is maintained throughout.

2nd Review Comment: **Comment Addressed.**

23. Provide signed and sealed drainage report indicating the proposed system's ability to meet storm water requirements in accordance with the South Florida Water Management District regulations per LDR Section 2.4.3 (D) (8). In addition, the surface water management system needs to be designed in accordance with LDR Section 6.1.9 for a minimum of a 10 yr./24 hr. storm event.

Applicant's 1st Response: Signed and Sealed Drainage report as indicated above in accordance with LDR Secs. 2.4.3(D)(8) and 6.1.9 will be provided under separate cover.

2nd Review Comment: **Comment Not Addressed. Comment will be addressed when the Drainage Calcs are received under separate cover.**

Applicant's 2nd Response: Drainage calculations are provided using the methodology developed with Staff for The RAY project in that the site attenuation will retain the maximum of the following:

a. Difference in Water Quality Treatment Volume as required by the SFWMD Applicant's Handbook for compliance with the 10/2 Self Certification requirements.

b. Difference in runoff volume as determined between the 10 year – 24 hour storm event for existing and proposed conditions as required by the City of Delray Beach.

c. Difference in runoff volume as determined between the 25 year – 3 day storm event for existing and proposed conditions as required by the SFWMD Applicant's Handbook for compliance with the 10/2 Self Certification requirements.

The attached drainage report reflects the design as described above for approval by the City in this request.

3rd Review Comment: **Comment Addressed.**

24. Show and clearly label all easements on Landscape, Engineering and Composite Utility Plans. The easements are not shown or labelled on the Engineering Plans.

Applicant's 1st Response: The easements represented on the existing Survey will be vacated upon approval of the proposed Site Plan, and the Survey will be updated accordingly at that time.

2nd Review Comment: **Comment Not Addressed. If the easements shown on the Metropolitan plat are to be changed, then you will need to do an easement abandonment and create new easements, and those must be shown on the plans. With new easements and Right-of-Way Dedications, please create a Plat for this project.**

Applicant's 2nd Response: Please see the revised SD1.02, ST1.01, A1.01 sheets indicating existing easements (noted to be abandoned by platting, upon approval of the proposed site plan), as well as the proposed easements. A new plat will be created accordingly, upon approval of the proposed site plan.

3rd Review Comment: **Comment Not Addressed. The Plat will create the new easements but there needs to be a GUE shown for the new FPL transformer location. Also the easement for the water**

line must extend all the way to SE 1st Street – right now there is a gap, and it must be a Water Easement, not a GUE. This comment will be addressed when all the easements are shown correctly.

25. Provide the following note on both the Engineering Plans and the Landscape Plans that, “any trees or shrubs placed within water, sewer or drainage easements shall conform to the City of Delray Beach Standard Details; LD 1.1 & LD 1.2.” These Details are to be shown on the Landscape Plans.

Applicant's 1st Response: This has been added as Note 4 on sheet CS-100.

2nd Review Comment: Comment Addressed.

26. Provide copy of traffic statement or study per LDR Section 2.4.3 (E). The submitted copy is not signed by the engineer.

Applicant's 1st Response: The signed Traffic Statement per LDR Section 2.4.3 (E) is attached with this submittal.

2nd Review Comment: Comment Addressed.

27. Provide signed and sealed calculations indicating current and proposed estimated flows into City's sewer system. Upon review and approval, a letter from the Deputy Director of Public Utilities stating that the City's system has sufficient capacity to treat proposed flows will be issued. This is a requirement in accordance with LDR Section 5.3.3 (D) for the Off-Site Impact Assessment to the City's water and sewer systems.

Applicant's 1st Response: Signed and sealed sewer flow demand calculations are attached with this submittal as indicated above.

2nd Review Comment: Comment Addressed.

28. At the time of building permit, provide a Composite Utility Plan signed by a representative of each utility provider attesting to the fact that services (water, sewer, drainage, gas, power, telephone and cable) can be accommodated as shown on the Composite Utility Plan. The Composite Utility Plan needs to address the responsibility for relocation of existing services and installation of new services in accordance with LDR Section 2.4.3 (F) (4). Composite Utility Plan is also used to ensure physical features do not conflict with each other and existing or proposed utility services.

Applicant's 1st Response: Noted, thank you.

2nd Review Comment: Comment Addressed.

29. The agreements between the owners of the Metropolitan and the adjacent property owners must be resolved so as to determine the accurate parking requirement.

Applicant's 1st Response: Noted, thank you.

2nd Review Comment: Comment Addressed. This item will be completed with the review of the parking counts by Planning and Zoning.

30. Please be aware that at the time of building permit, the applicant must Provide 50 percent of the cost of the purchase and installation of a bus shelter (\$5,500 which is 50% of the \$11,000 full bus shelter cost) per City of Delray Beach Comprehensive Plan, Policy A-1.5 and LDR Section 2.4.3 (D) (7) which states:

A Said plans for the following projects shall include a bus shelter:

- (i) A new residential project that has 25 or more units;
 - (ii) A non-residential project that is greater than 10,000 square feet;
 - (iii) A project that is adjacent to an existing or proposed transit stop.
- B When the placement of a bus shelter for a qualifying project would be located less than the standard minimum distance from an existing shelter (applied and determined by Palm Tran), then the project shall contribute the full cost of the purchase and installation of a complete bus shelter.
- C New residential projects that have fewer than 25 units, non-residential projects that are smaller than 10,000 square feet, or projects that are not located adjacent to a transit stop shall contribute 50 percent of the cost of the purchase and installation of a complete bus shelter.

Applicant's 1st Response: *Noted, thank you.*

2nd Review Comment: **Comment Addressed.**

31. Please note, a Financial Guarantee in accordance with LDR Section 2.4.10 may be required to ensure the timely and proper installation of public improvements which are required to support the proposed development. Refer to LDR Section 2.4.10 (A) for items which require a Financial Guarantee.

Applicant's 1st Response: *Noted, thank you.*

2nd Review Comment: **Comment Addressed.**

32. Additional comments may follow after review of revised plans.

Applicant's 1st Response: *Noted, thank you.*

2nd Review Comment: **Comment Addressed.**

New 3rd Review Comments

33. The landscaping area added in the parallel parking area on SE 3rd Avenue needs to be modified. The edges of the island are too sharp. They should be pulled back to 45-degree angles instead of the right angles shown.
34. The Civil Plans no longer match the Site Plan. The Site Plan shows the work removed from Parcel 2 on the west side but still show it on the east side. The Civil plans show work on Parcel 2 on both the east and west sides. Please correct one or both of the plans.
35. The 4" potable water meter and 4" backflow preventer are shown in the curb at the SE corner of the site. They will need to be shifted to the west.
36. The PDF plans received showing the milling and resurfacing area on sheet CS-100 has the milling hatch overwriting the are beneath it. Please put the hatch below the other items and reprint it.

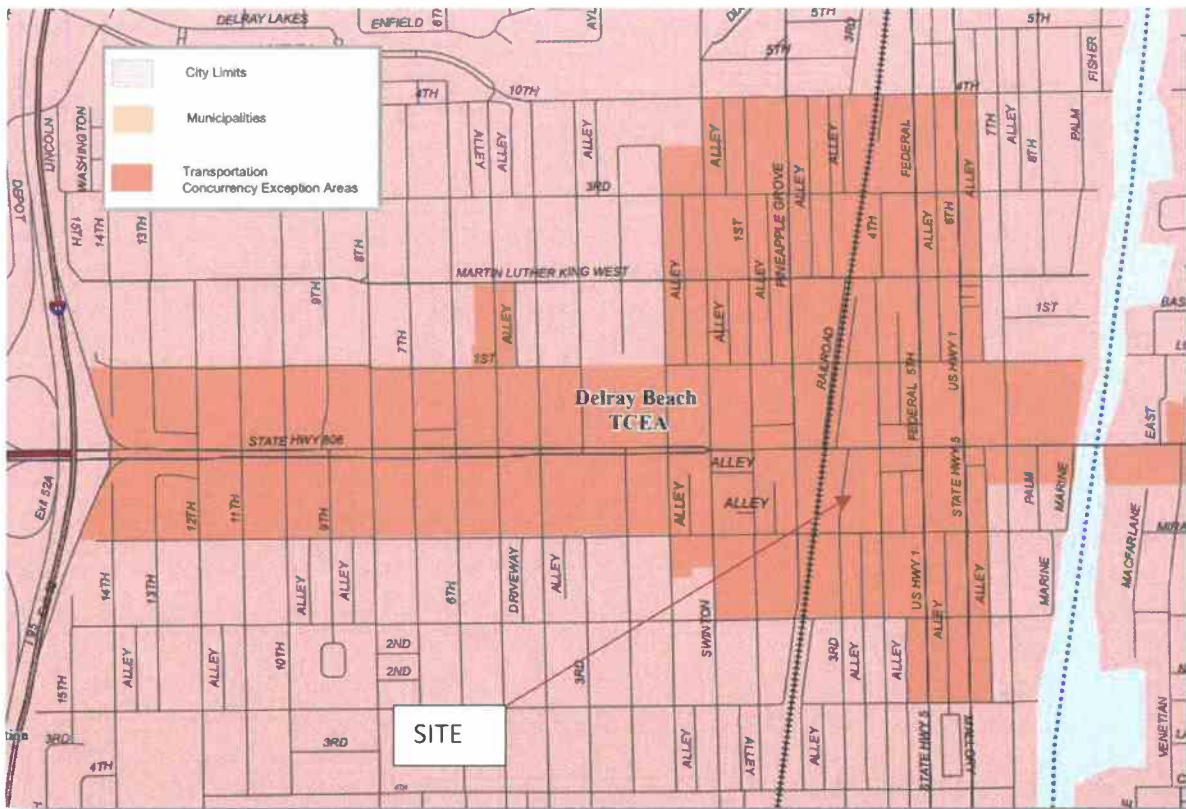
July 26, 2018

Anais Niembro
Project Designer
Gonzalez-Architects
14 NE 1st Avenue, Suite 507
Miami, FL 33132

**RE: City Market – Trip Generation Analysis Summary
(MDA 18052)**

Dear Ms. Niembro:

The following Trip Generation Analysis reflects the proposed redevelopment of the commercial property in Delray Beach, FL, known as City Market. The subject property is located at SE 1st Street & SE 3rd Avenue and consists of a 25,370± SF retail shopping center. This project is located in the City's Traffic Concurrency Exception Area (TCEA) as indicated in the figure below.



City of Del Ray Beach Traffic Concurrency Exception Area Map

Source: FDOT SIS Map #5

Trip generation for the existing site and proposed improvements are determined using the ITE Trip Generation Manual 10th Edition. In accordance with standard ITE methodology, calculations for the existing and proposed modification to the subject property are detailed in **Table A**. Using ITE LUC 820 Shopping Center, the proposed improvements the uses are expected to generate 2,366 ADT, 24 AM PHT, and 97 PM PHT.

In accordance with LDR 2.4.3(E)(1), the proposed improvements will add more than 201 ADT, however, since the project is located in the TCEA this project is exempt from providing a Traffic Study. This summary is provided in accordance with LDR 2.4.3(E)(2). No information is available demonstrating the current ADT volumes for SE 1st Street where the proposed access point will be installed.

Table A: Existing & Proposed Trip Generation

Proposed Trip Generation:

ITE LUC ⁽¹⁾		Units	Proposed Number of Units	Trip Generation					Trip Directional Distribution ⁽¹⁾	
				Type	ITE LUC Equation ⁽¹⁾	Trips	Entering	Exiting	Entering	Exiting
820	Shopping Center	1,000 SF Gross Floor Area	25.37	ADT	$\ln(T) = 0.68 \ln(X) + 5.57$	2366	50%	50%	1183	1183
				AM PHT	$T = 0.94(X)$	24	62%	38%	15	9
				PM PHT	$T = 3.81(X)$	97	48%	52%	46	51

(1) Trip Generation, 10th Edition, Institute of Transportation Engineers

In summary, the information contained in this statement complies with the requirements of LDR 2.4.3(E) and is satisfactory for exemption from the requirements within the TCEA.

Regards,

MORRIS-DEPEW ASSOCIATES, INC.



M. William Morris, PE, LEED AP
Partner – Director of Engineering

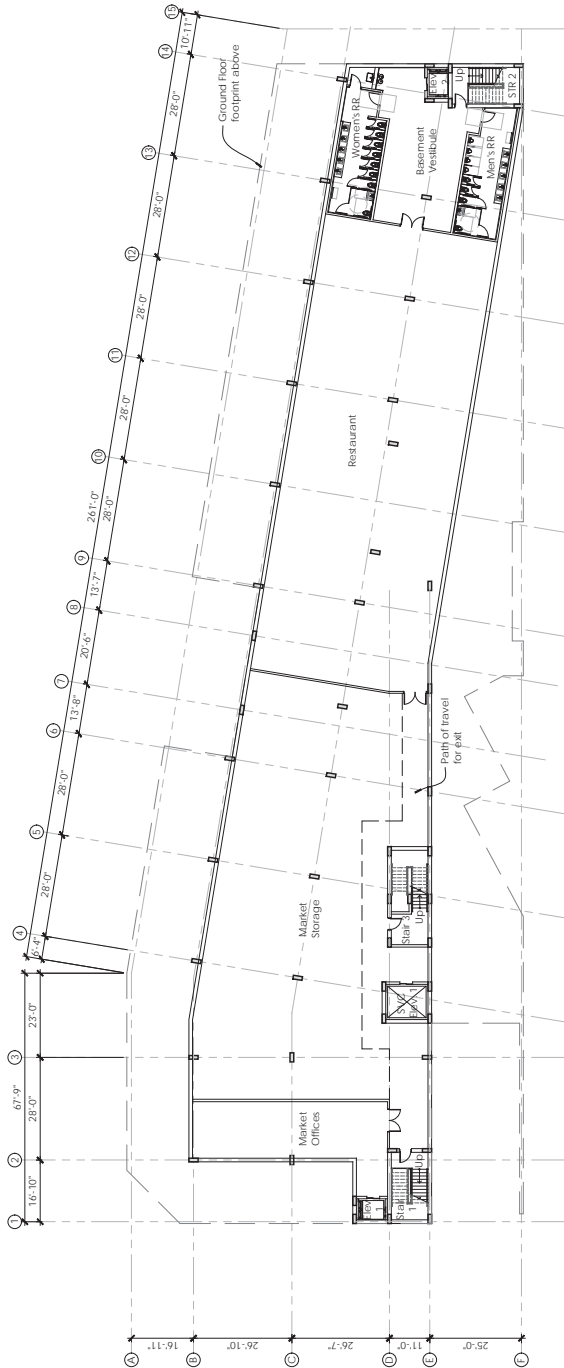
Attachments:

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A1.00

Overall Basement
Floor Plan
Scale
1/16" = 1'-0"



Basement Floor Level Area: 16,774 Sq. Ft.

Basement Level Program

Area	Use	Sq. Ft.
Market Office	Market Office	100.00
Market Storage	Market Storage	1,000.00
Men's RR	Men's RR	100.00
Women's RR	Women's RR	100.00
Basement Vestibule	Basement Vestibule	1,000.00
Path of travel for exit	Path of travel for exit	1,000.00
Restaurant	Restaurant	13,574.00

1 Overall Basement Floor Plan

1/16" = 1'-0"

MENIN

THE DELRAY CITY MARKET

SE 3rd Avenue and
SE 1st Street
Delray Beach, FL 33483

August 03, 2018

10-10-2018



ST1.01

Overall Proposed
Site/ Ground Floor Plan
Scale
1" = 20'-0"

González Architects

Frontage Type: Storefront
LDR Table 4.4.13(i) - Dimensional Requirements for Storefronts

Description	Minimum	Maximum	Provided
A. Building Setback	10 ft.	10ft	10ft
B. Storefront Width	N/A	N/A	Between 30 to 180
C. Storefront Base	9 in.	10in.	10in.
D. Clearing Height	8 ft.	-	8ft to the 1st floor level
E. Storefront Openings	80%	80%	80%

Maximum Allowable Encroachment of Elements in All Districts

F. Awning Projection	3ft.	3ft.	3ft.
G. Projecting Signs	N/A	3ft.	N/A

*Pursuant Sec. 4.4.13(E)(4)(e)1.b.

Proposed Food Market

Area	Use	Sq.Ft.
Basement Restaurant	Restaurant	5,228 SF (net)
Basement Market Office	Business Space	295 SF (net)
Basement Storage	80% Restaurant / 20% Retail	5,228 SF (gross) 80% = 4,182 SF / 20% = 1,046 SF
Basement Vending and Restrooms	80% Restaurant / 20% Retail	1,046 SF (gross) 80% = 837 SF / 20% = 209 SF
Ground Floor Food Market	80% Restaurant / 20% Retail	22,086 SF (gross) 80% = 17,669 SF / 20% = 4,417 SF
Mezzanine Office	Business Space	8,411 SF (net)
Mezzanine Vending and Restrooms	80% Restaurant / 20% Retail	1,489 SF (gross) 80% = 1,191 SF / 20% = 298 SF

Building Height
LDR Table 4.4.13(b)

Area	Use	Height
A. Maximum Building Height outside of the Atlantic Ave. Limited Height Area	REQUIRED	62'-0"
B. Ground Floor Front Level Commercial Use	PROVIDED	4 stories and 54 ft.
C. Ground Floor Height Commercial and Mixed-Use Building	REQUIRED	12 ft. min.
D. Upper Story Height	REQUIRED	9 ft. min.
E. Additional Setback Above 3rd Story	REQUIRED	10'-0"

*4.4.13(F)(8)(d) Setback Waiver
**Top of Elevator Tower at +64'-0"

Lot Coverage Calculations
Building Footprint: 26,128 SF
Paved Area: 8,681.5 SF
Landscaped Area: 1,811 SF
Civic Space (4.4.13(G)): 876.5 SF

Gross Land Area: 0.86 Acres (37,497 SF)
98.02' W x 327.73' L

*Paved Area: Accounts for loading dock pavement as well as sidewalk pavers.

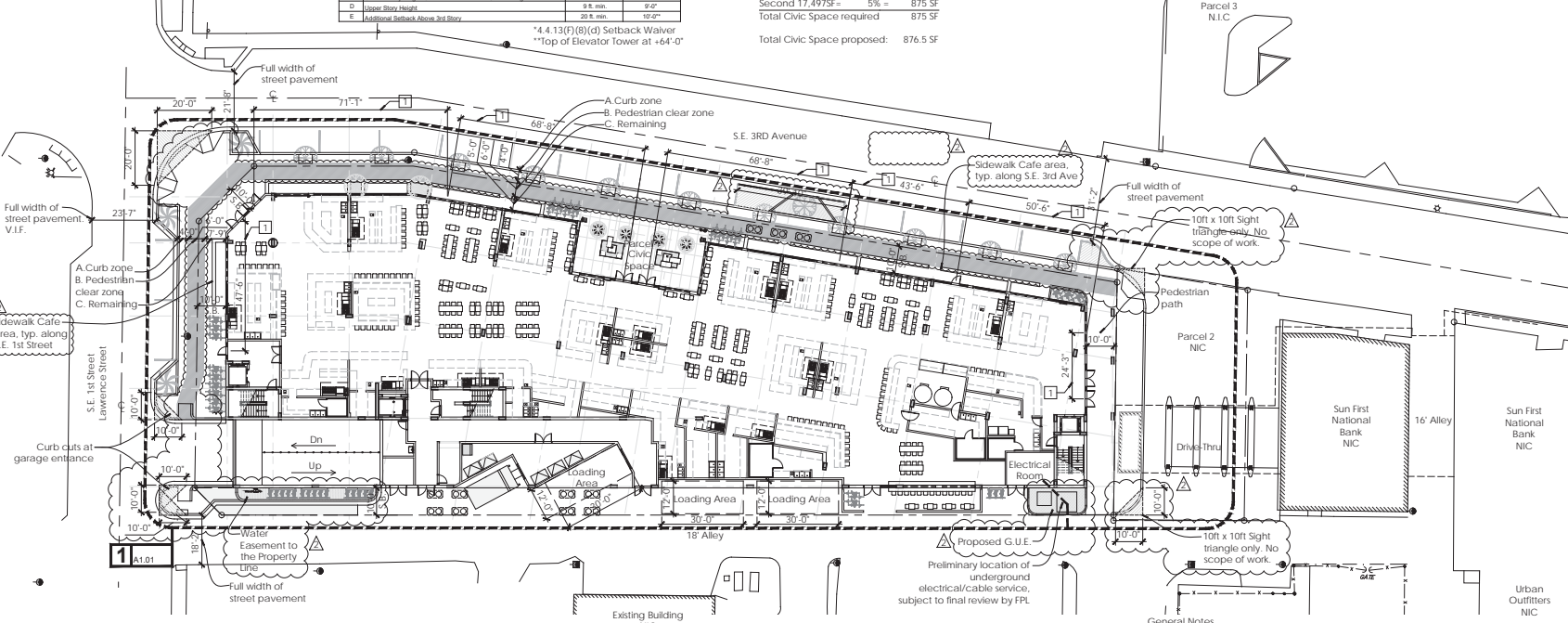
Civic Space Calculations (Parcel 1)
Total Lot Area = 37,497 SF

First 20,000SF = 0% = 0 SF
Second 17,497SF = 5% = 875 SF
Total Civic Space required: 875 SF
Total Civic Space proposed: 876.5 SF

Gross Building Area Calculations
Basement Floor: 16,774 SF
Ground Floor: 26,128 SF
Second Floor: 28,479 SF
Third Floor: 28,479 SF
Fourth Floor: 28,479 SF
Roof: 28,479 SF
Total Building Area: 156,818 SF

Storefront Openings Calculations
Ground Floor at S.E. 1st Street and N.E. 3rd Avenue:
Total Facades Width: 429'-5"
Total Storefront Openings Width: 397'-0"
Openings Percentage: 92%

Sec. 4.4.13(E)(4)(e)1.b. Storefront (window and door) openings shall extend along at least 80 percent of the width of the facade of the commercial space, measured by the sum of the widths of the rough openings.



* Table 4.4.13(L)
Minimum Number of Off-Street Parking Spaces Required in the CBD

Use	Square Foot	Parking Requirements	Parking spaces required
Restaurant	31,818 SF	6 spaces per 1,000 SF gross floor area	190.9
Retail	5,297 SF	1 space per 500 SF gross floor area	10.6
Business Space	7,315 SF	1 space per 500 SF net floor area	14.6
TOTALS			216.1

* Section 4.6.9 (C) (8): Multiple Uses - Shared Parking
Shared Parking Calculations Table - Use for multiple use projects.
According to this section of the code, the minimum total parking requirement is 204 parking spaces.
The proposed project is providing 206 parking spaces.

USE	REQUIRED	WEEKDAY MONDAY TO 6 A.M. DAY 9 A.M. TO 4 P.M. EVENING 6 P.M. TO MIDNIGHT	WEEKEND DAY 9 A.M. TO 4 P.M. EVENING 6 P.M. TO MIDNIGHT
Restaurant	190.9	(100%)=190.9	(50%)=95.5
Retail	10.6	(50%)=5.3	(100%)=10.6
Business Space	14.6	(100%)=14.6	(100%)=14.6
Residential (Parking Agreement)	10	N/A	N/A
TOTALS	216.1	211	211

* Table 4.4.13(K)
Minimum Number of Bicycle Parking Spaces Required in the CBD

Use	Bicycle Parking Requirements	Quantity Required	Bicycle Spaces Provided
Commercial/Retail	2 spaces per 1,000 SF of gross floor area	38,213 SF / 1,000SF x 2 = 76.4	76
Restaurant			12.8
Business Space	1 space per 2,000 SF of net floor area	7,315 SF / 2,000SF x 1 = 3.7	4
TOTALS			93

Location of Parking	Number of Spaces
2nd Level	82
3rd Level	52
4th Level	52
Roof Top Level	51
On-Street Spaces Removed	51
Total Spaces Provided	206 (207-1 on-street removed + 205)
Total Spaces Required	204
Number of Alternative Fuel Spaces (2% of total)	8
Number of Accessible Spaces	7 (2 to be Van Accessible)
Number of Compact Spaces (10% max allowed)	68 (20%)

Off Street Loading	Loading Spaces Required	Loading Spaces Provided
Use Category	Three Berths	Three Berths
Restaurant / Retail	Three Berths	Three Berths
Off Street Loading Dimensions for Single Units		
Width	12'	
Length	30'	
Vertical Clearance	12'	
Maneuvering Area	30'	

-Should a bus route adjacent to the property be provided, a bus shelter will be furnished, subject to the City's modifications of the existing on-street parking.
-Interior Market (State) design subject to change. Stall location shown for reference only.

-Note: Parcels 2 & 3 are not in the scope.

-Note: Any trees or shrubs placed within water, sewer or drainage easements shall conform to the City of Delray Beach Standard Details: LD 1.1 & LD 1.2

Pursuant Sec. 4.4.13. (E)(3) Building Entrance:
The main entrance(s) to ground story commercial space(s) shall be directly from and face a public right-of-way or civic open space. Doors allowing public access shall occur at intervals no greater than 75 feet.

Site Plan Legend

- Vertical Bicycle Rack
- Double Bicycle Rack
- Pet clean-up station
- Trash can
- Drinking Fountain
- Grease trap

Class V Application : Not For Construction

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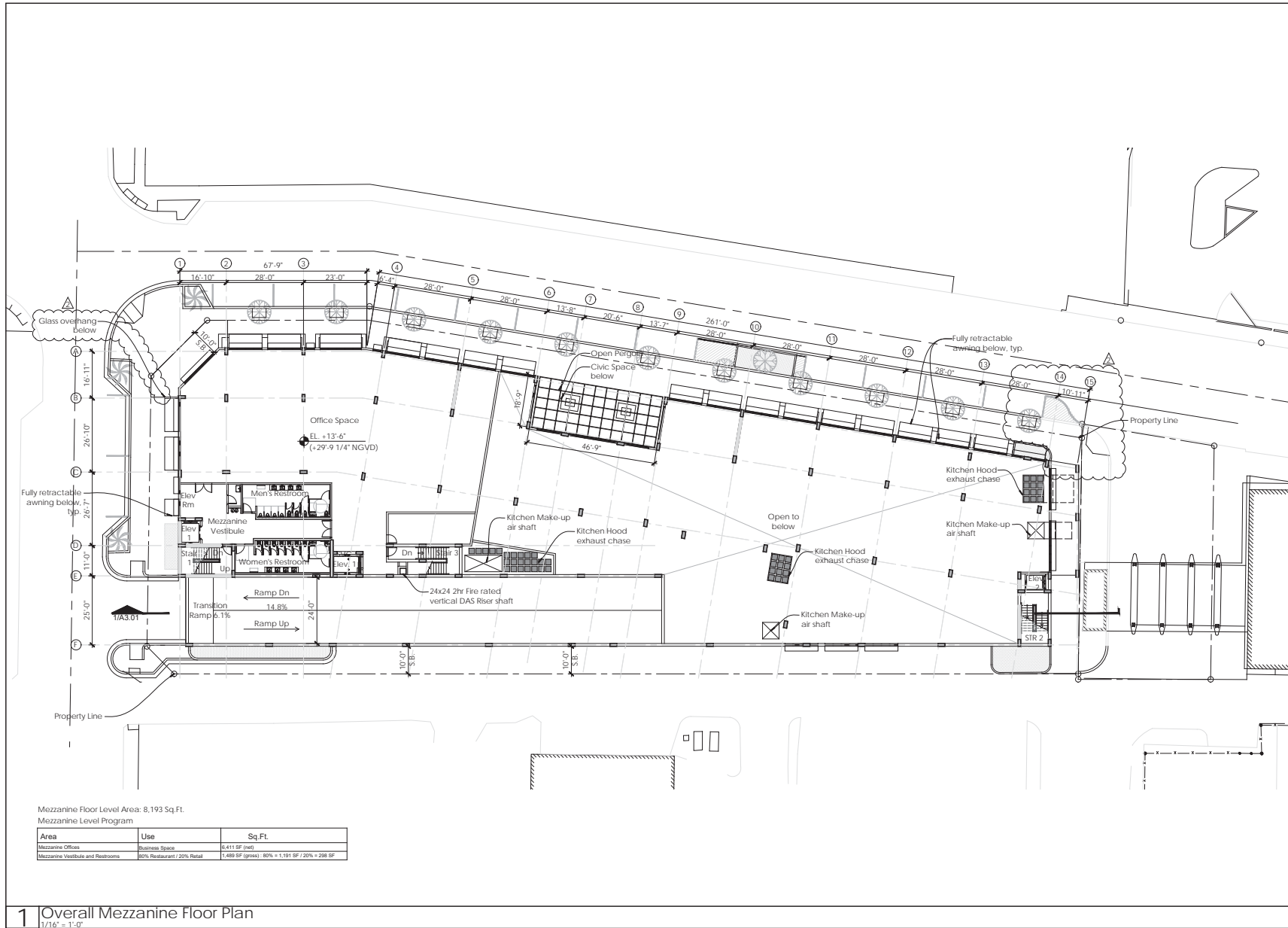


A1.02

Overall Mezzanine
Floor Plan
Scale
1/16" = 1'-0"

0 5' 10' 25' 50'

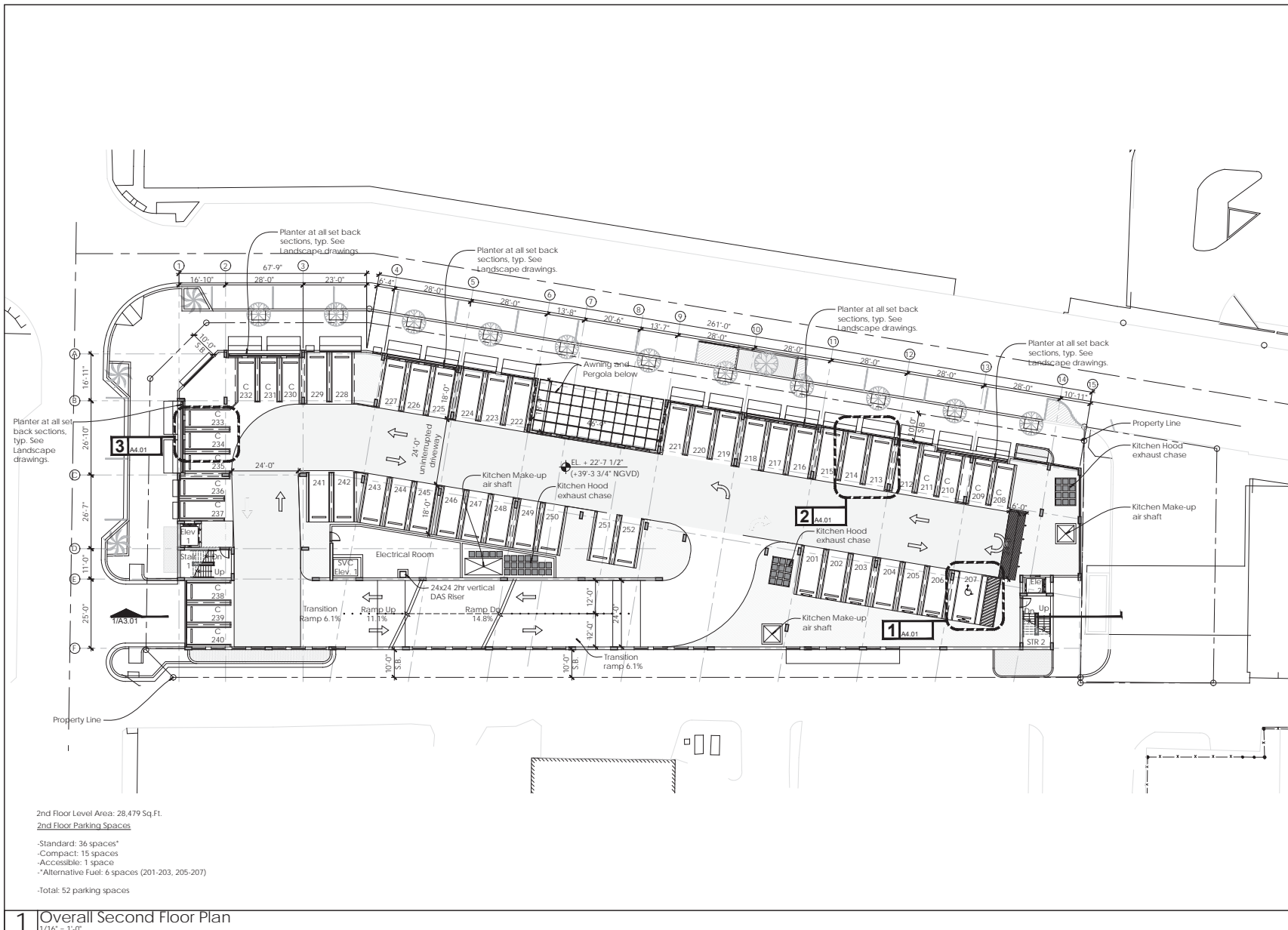
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A1.03

Overall Second
Floor Plan
Scale
1/16" = 1'-0"

**González Architects**

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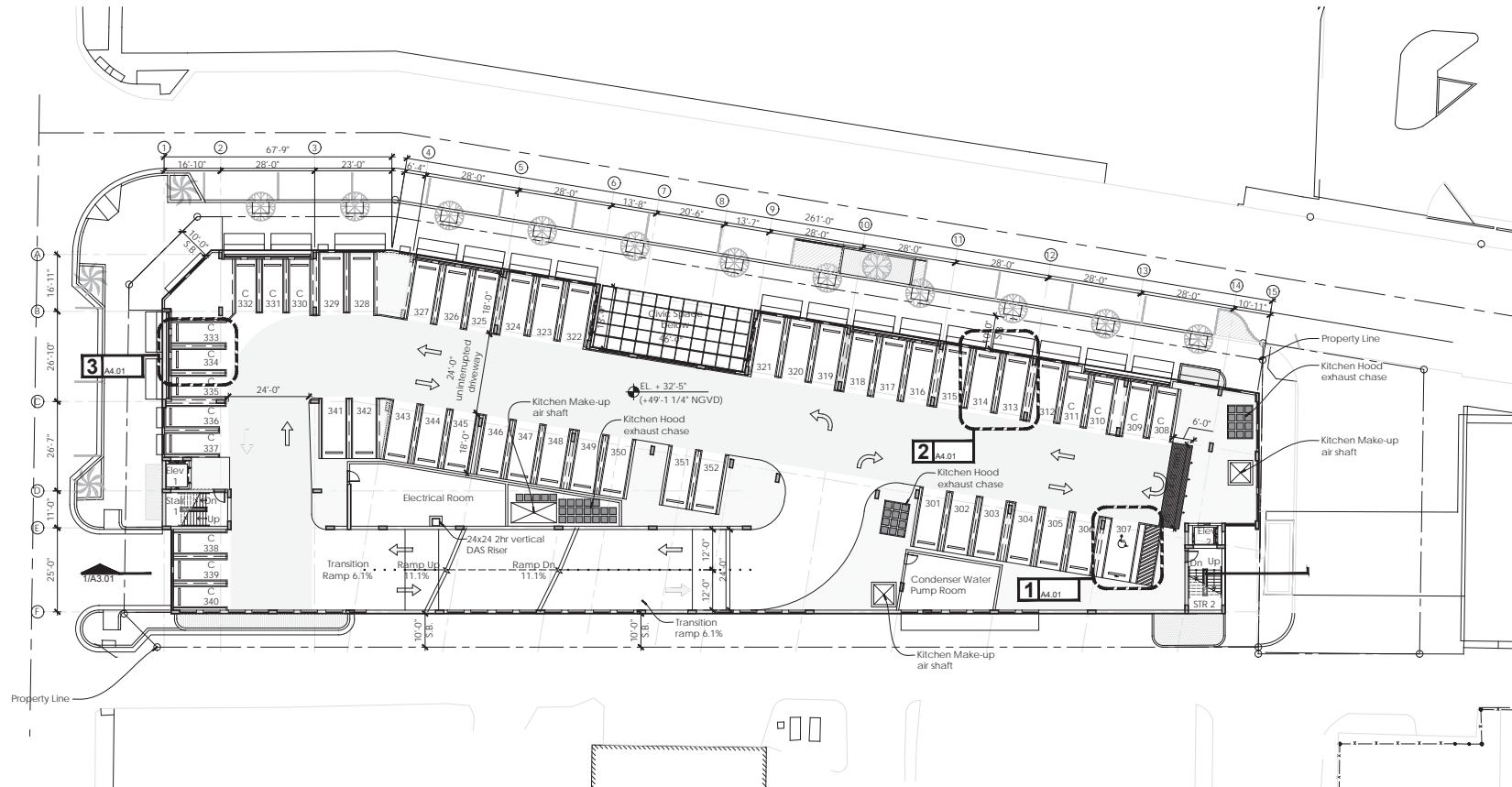
A1.04

Overall Third
Floor Plan
Scale
1/16" = 1'-0"

0 5' 10' 25' 50'

González Architects

Class V Application : Not For Construction



3rd Floor Level Area: 28,479 Sq. Ft.

3rd Floor Parking Spaces

- Standard: 36 spaces
- Compact: 15 spaces
- Accessible: 1 spaces
- Total: 52 parking spaces

1 Overall Third Floor Plan
1/16" = 1'-0"

**González Architects**

1	Overall Rooftop Plan 1/16" = 1'-0"
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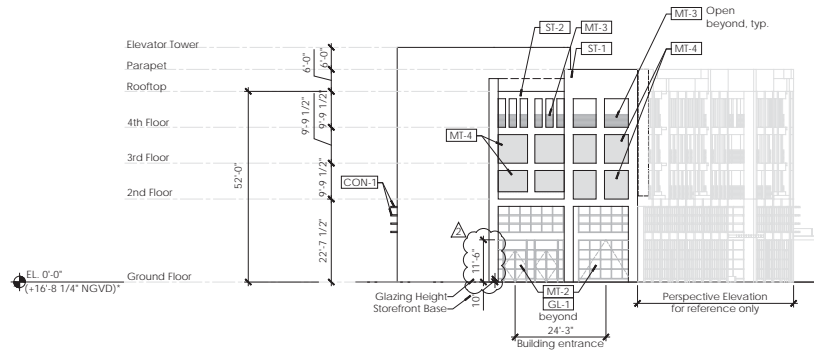
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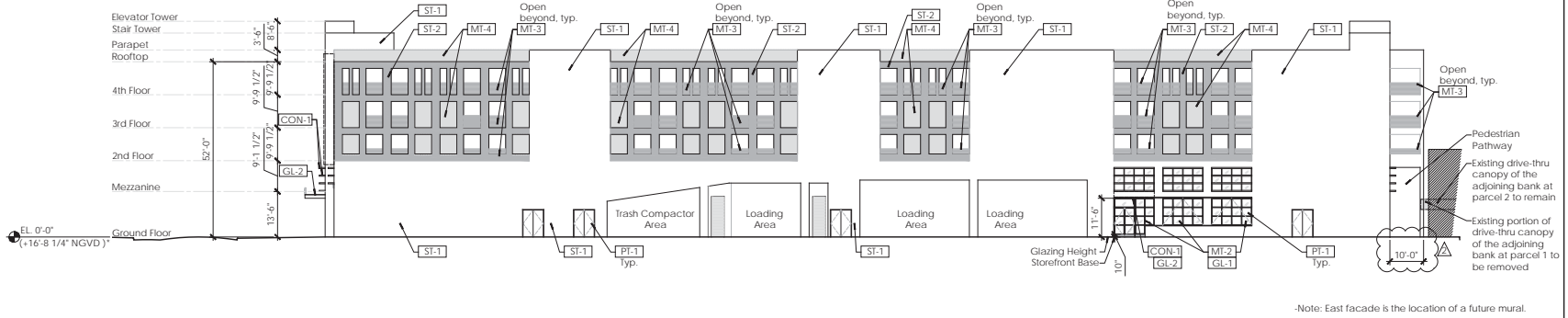
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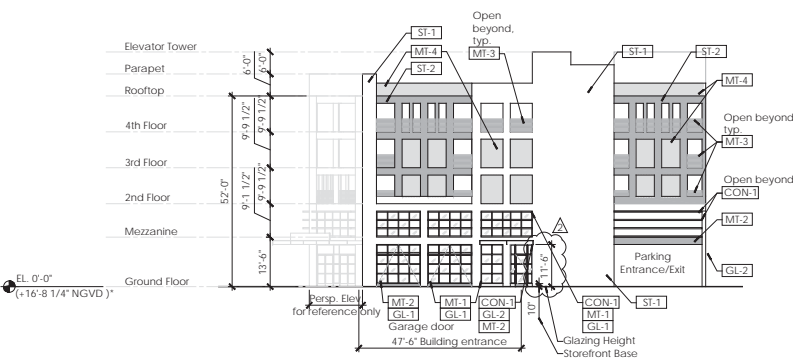


1 North Elevation
1/16" = 1'-0"



-Note: East facade is the location of a future mural.

2 East Elevation
1/16" = 1'-0"



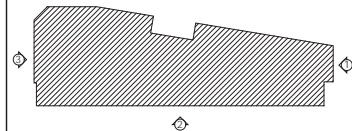
*GENERAL NOTE: F.F.E. same as average crown of road. See section on A3.01.

3 South Elevation
1/16" = 1'-0"

Following the Central Business Design Guidelines, the proposed project follows the style: Masonry Modern.

FRONTAGE TYPE: STOREFRONT.

TAG	DESCRIPTION	LOCATION
AW-1	Canvas Awnings with Metal support frames	Ground Floor
CON-1	Pre-cast concrete eyebrows	Ground Floor and Mezzanine Level windows.
GL-1	Tempered Glass	New Storefront doors and windows at all locations
GL-2	Tempered Glass	Glass Overhang at SW corner and Alley entrances
MI-1	Anodized Aluminum - White	Storefront frames and Pergola at Civic Space.
MI-2	Anodized Aluminum - Red	Storefront doors and Garage doors at Ground Floor.
MI-3	Metal cable railings	Parking level windows.
MI-4	Anodized Aluminum Mesh	Parking level windows and Rooftop guardrail.
ST-1	Smooth Stucco finish - White	Building facades. See elevations.
ST-2	Smooth Stucco finish - Gray	Building facades. See elevations.
PT-1	White paint to match ST-1	Exterior doors. See elevations.



4 Finish Notes and Legend

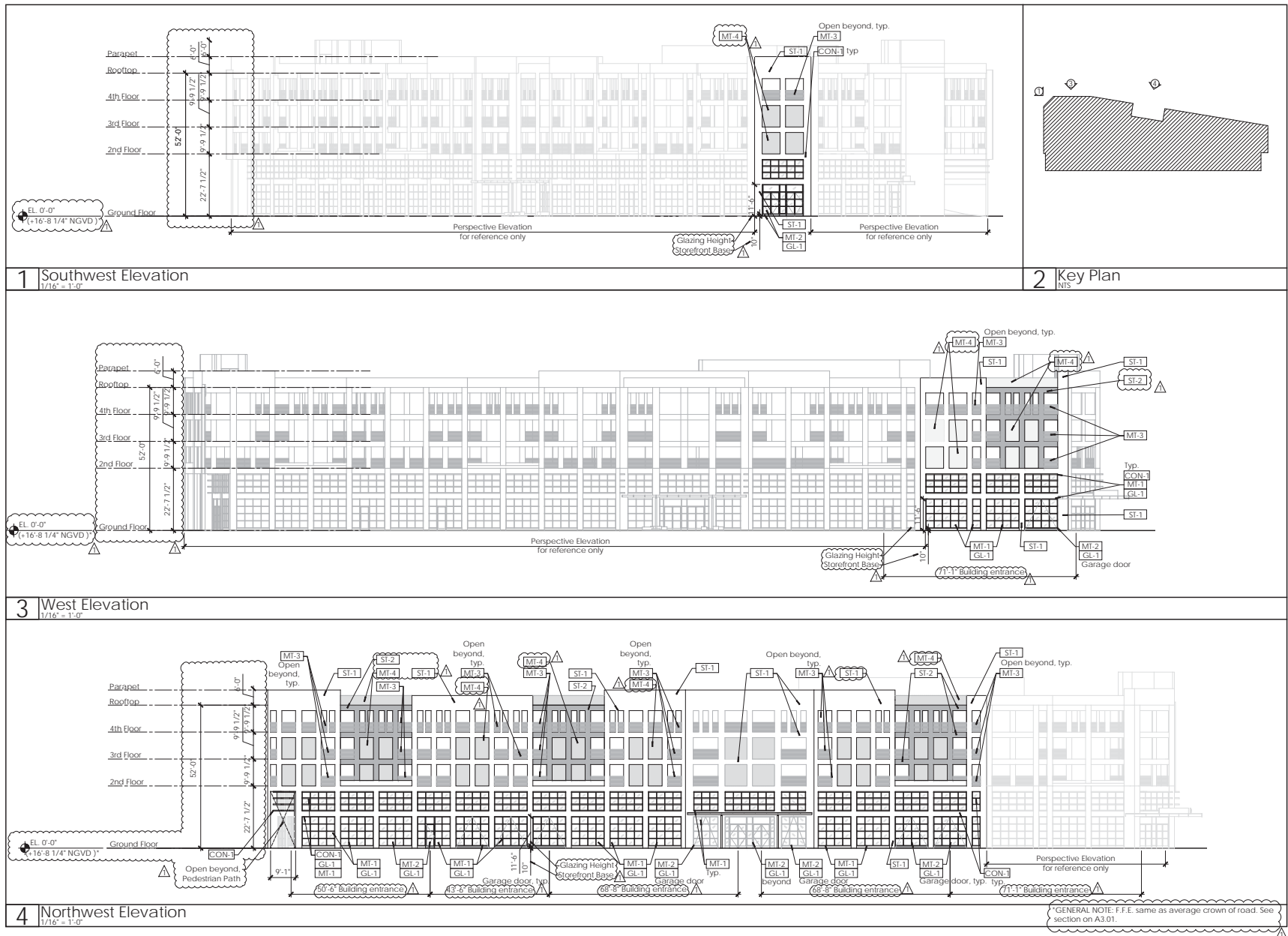
5 Key Plan
N

A2.01

Elevations

Scale
1/16" = 1'-0"

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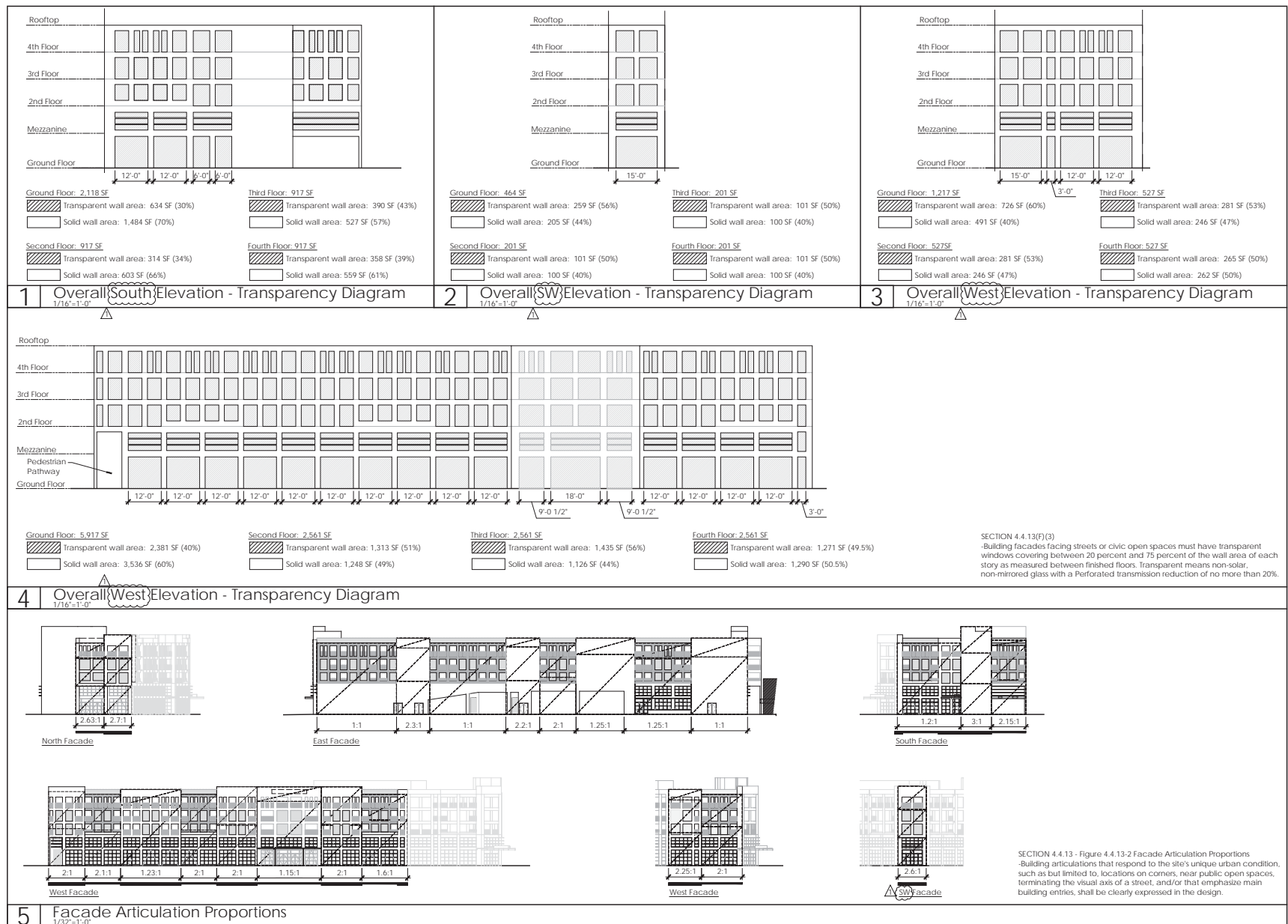


A2.02

Elevations

Scale
1/16" = 1'-0"

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A2.03

Transparency Diagrams
and Facade Articulation
Scale
As Noted

SECTION 4.4.13 - Figure 4.4.13-2 Facade Articulation Proportions
-Building articulations that respond to the site's unique urban condition, such as but limited to, locations on corners, near public open spaces, terminating the visual axis of a street, and/or that emphasize main building entries, shall be clearly expressed in the design.

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1 S.E. 3rd Avenue - NW Elevation
NTS



2 S.E. 3rd Avenue - West Elevation
NTS



3 Corner of S.E. 3rd Avenue and S.E. 1st Street - Market Entry
NTS



4 S.E. 1st Street - South Elevation
NTS

M E N I N

THE DELRAY CITY MARKET

SE 3rd Avenue and
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A5.01

Proposed Market
Renderings
Scale
NTS

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1 Corner between S.E. 1st Street and Alley
NTS



2 Alley Elevation View
NTS



3 Alley View into Market Entry
NTS



4 S.E. 3rd Avenue - Looking into the Civic Space
NTS

M E N I N

THE DELRAY CITY MARKET

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A5.02

Proposed Market
Renderings
Scale
NTS

González Architects



1 NW Elevation- Pedestrian Path
NTS



2 S.E. 3rd Avenue - Sidewalk View
NTS



3 S.E. 3rd Avenue - Civic Space
NTS

Class V Application : Not For Construction

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THE DELRAY CITY MARKET

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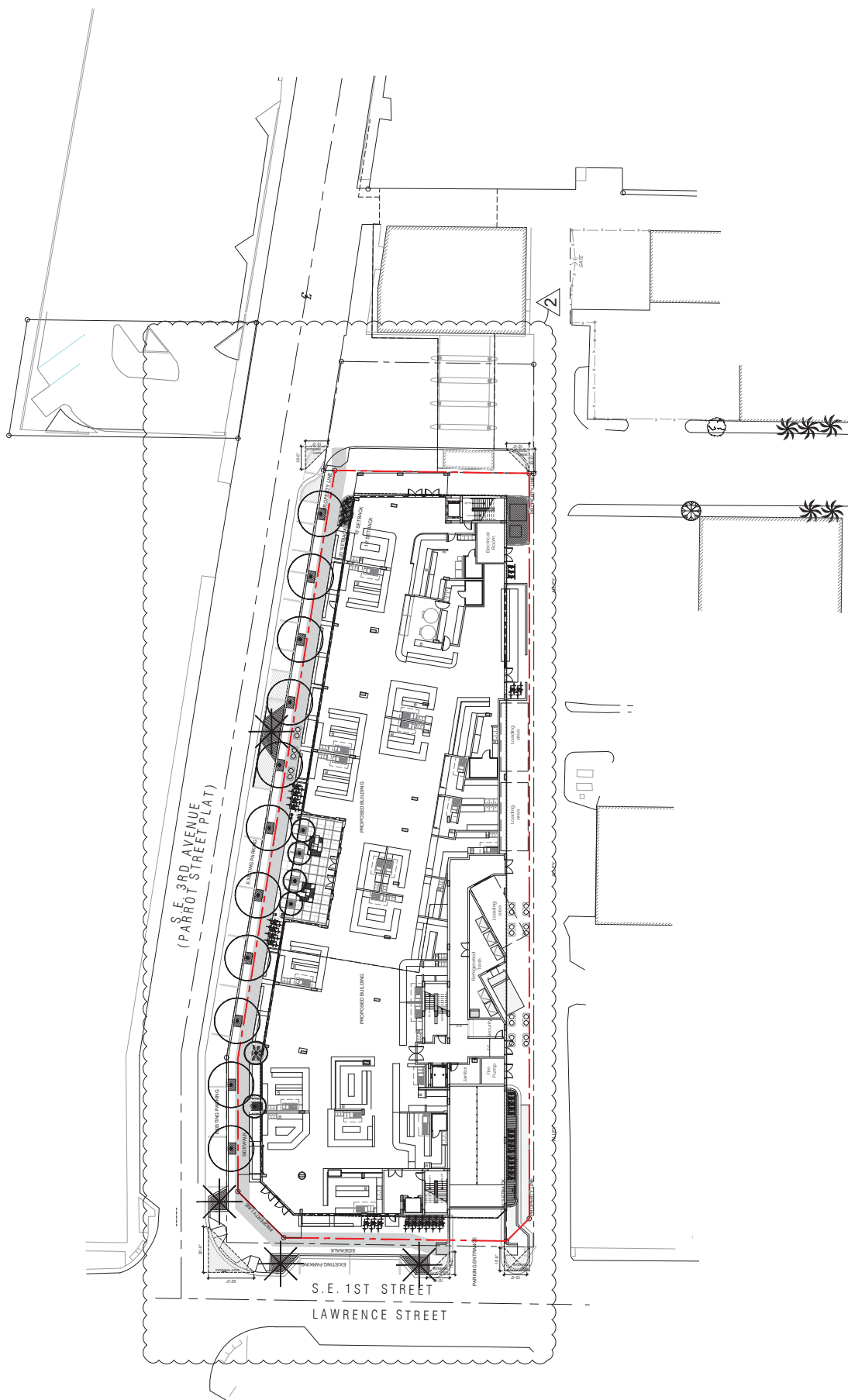
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A5.03

Proposed Market
Renderings
Scale
NTS

González Architects



DELRAY CITY MARKET

SOUTH EAST 3RD AVENUE | DELRAY BEACH, FL 33483

SEAL
MARSH C. DRPHEN L.C. (LA6867-007)

EXISTING TREE & PALM PLANTING
PLAN

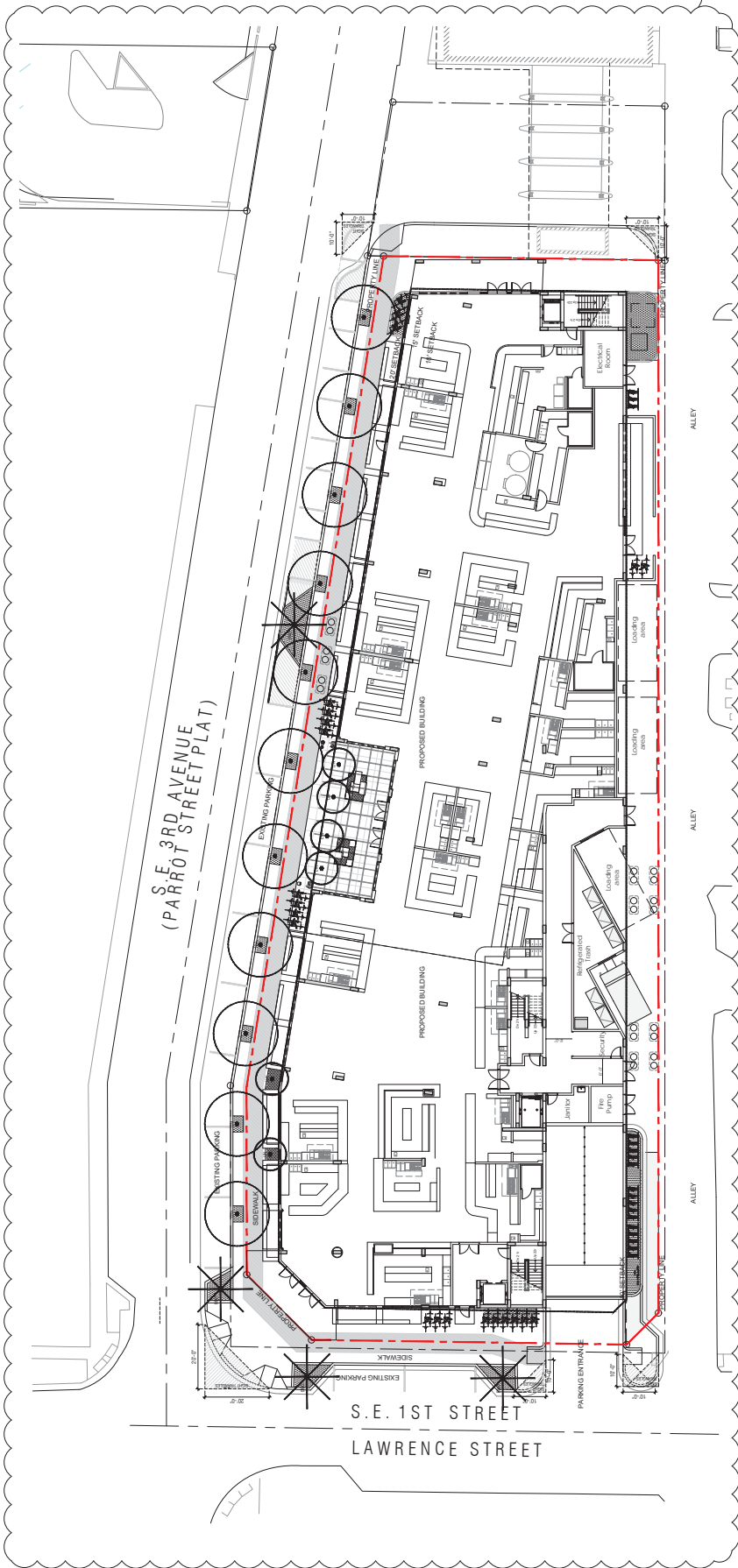
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ISSUE: 03/20/18
REVISION: 03/20/18
REVISION: 03/20/18



SCALE 1/8"=1'-0"

L401

03/20/2018



PLANTING LEGEND

