

Development Services Department

BOARD ACTION REPORT - APPEALABLE ITEM

Project Name: Ocean Delray

Project Location: 1901 S. Ocean Blvd **Request:** Class V Site Plan approval

Board: Site Plan Review and Appearance Board

Meeting Date: February 27, 2019

Board Action:

Approved (7 to 0), the site plan, landscape plan, and architectural plans.

Project Description:

The subject site is 2.27-acre property with Palm Beach County parcel number: 12-43-46-28-00-000-1060, with a physical address of 1901 S. Ocean Boulevard. The subject site is located in the Residential Medium (RM) zoning district. The request before the Site Plan Review and Appearance Board (SPRAB) was for a Class V Site Plan approval for the construction of a 19-unit, three-story, luxury condominium building with an underground parking garage, and associated site improvements. The proposed condominium development will replace the current "Wright by The Sea" motel. The building features a mixture of 3 to 5-bedroom units ranging in size from 3,325 sf to 4,933 sf. The units feature private balconies with barbeque grills and fire places, private or shared elevator access, and private parking garages with storage area. The site features a community swimming pool with SPA and sun deck, beach front access, and native and Florida friendly landscaping.

Board Comments:

The Board comments were supportive.

Public Comments:

The public comments were generally in favor of the project. However, there were some comments from the public about beach access, staging for construction, and the vacant land across the street.

Associated Actions:

No associated actions.

Next Action:

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

100 NW 1st AVENUE, DELRAY BEACH, FLORIDA 33444
PLANNING & ZONING DIVISION: (561) 243-7200
• BUILDING DIVISION: (561) 243-7200

SITE PLAN REVIEW AND APPEARANCE BOARD

Meeting: February 27, 2019 | File No.: 2019-020-SPF-SPR-CLV Application Name: Ocean Delray (1901 S. Ocean Blvd)

General Data:

Applicant: Rey Grabato, Manager, Wright by the Sea 1901, LLC.

Agent: Thomas F. Carney, Jr., Carney Stanton P.L.,

Owner: Wright by the Sea 1901, LLC. Location: 1901 South Ocean Boulevard

PCN: 12-43-46-28-00-000-1060 Property Size: 2.27 Acres FLUM: Medium Density (MD) Zoning: Residential Medium (RM)

Adjacent Zoning:

• North: RM

East: N/A (Atlantic Ocean)

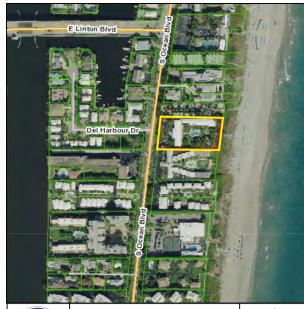
o South: RMo West: RMExisting Land Use: Motel

Proposed Land Use: Condominium

Item before the Board:

The action before the Board is for the approval of a Class V Site Plan application for Ocean Delray pursuant to LDR section 2.4.5 (F)(1)(a), including the following:

- ☐ Site Plan
- Landscape Plan
- □ Architectural Plan





Location Map: Ocean Delray 1901 S. Ocean Blvd.



Recommendations by Separate Motions:

Site Plan:

Move approval of the Class V Site Plan Modification application (2019-020) for Ocean Delray, 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)(1)(a) and Chapter 3 of the Land Development Regulations.

*Note: Note: If the site plan is denied, no further action shall be taken on the landscape plan or the architectural elevation plan due to potential inconsistencies.

Landscape Plan:

Move approval of the Landscape Plan (2019-020) for Ocean Delray, 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 sections 4.6.16 of the Land Development Regulations.

Architectural Elevations:

Move approval of the Architectural Elevations (2019-020) for Ocean Delray, by adopting the findings of fact and law contained in the staff report and finding that the request meets criteria set forth in section 4.6.18(E) of the Land Development Regulations.

Project Planner: Kent Walia, AICP, Senior Planner; waliak@mydelraybeach.com, 561-243-7365	Review Dates: <u>SPRAB Board:</u> February 27, 2019	1. 2. 3.	Attachments Site Plans Landscape Plans Architecture Plans	

FILE No.: 2019-020-SPF SPR-CL5-OCEAN DELRAY

Notes:

- 1. Provide FDEP and SFWMD approvals prior to building permit.
- 2. Provide revised plans reducing the patio size at unit 1 to 5' maximum within the side yard setback to the north prior to site plan certification.
- 3. Provide revised plans showing the elevation height of pool equipment above the Base Flood Elevation prior to site plan certification.
- 4. Provide revised plans relocating the generator outside of the front yard of the property in accordance to LDR section 4.3.3 (ZZ) prior to site plan certification.
- 5. Provide revised site plans showing the restrooms in the cabana on all applicable pages prior to site plan certification.
- 6. Provide revised landscape plans identifying what type of plant "CLH" is prior to site plan certification.
- 7. Provide revised photometric plan showing the latest version of the floor plan layout prior to site plan certification.
- 8. Provide revised plans showing the SPA setback back at least 10' from the side property line prior to site plan certification.
- 9. Provide tree mitigation in the amount of \$35,300 dollars as listed on page TD-1, prior to building permit.
- 10. Provide FDEP approval for construction east of the coastal construction line prior to building permit issuance.
- 11. Provide revised documents demonstrating compliance with all of the flood comments prior to building permit issuance.
- 12. Provide revised plans showing the elevator equipment elevated above BFE prior to building permit.
- 13. Provide condominium documents prior to certificate of occupancy.
- 14. Provide revised plans showing the pool designed in accordance with ASCE requirements prior to building permit.
- 15. Provide \$5,500 dollars equivalent to the 50% of the cost of a bus shelter required in accordance with LDR section 2.4.3 (D)(7), prior to building permit.
- 16. Provide revised plans showing flood openings in the breakaway walls prior to site plan certification.
- 17. Provide a Parks and Recreation impact fee to the City in accordance with LDR section 5.3.2 (C) at \$500.00 per dwelling unit regardless of size or occupancy prior to issuance of a building permit.
- 18. Provide revised plans showing a sidewalk in accordance with LDR section 6.1.3 (C)(5) or request an in-lieu fee prior to site plan certification.
- 19. Provide a revised Structural Design Statement for V-Zone design indicating the correct BFE elevation prior to site plan certification.
- 20. Update the acreage information on the Palm Beach County property appraiser prior to building permit issuance.

Project Request:

The Class V Site Plan request for Ocean Delray is associated with the construction of a 19-unit, three-story, luxury condominium building with an underground parking garage, and associated site improvements. The proposed condominium development will be located 1901 S. Ocean Blvd and will replace the current "Wright by The Sea" motel. The subject property is located in the Residential Medium (RM) zoning district. The building features a mixture of 3 to 5-bedroom units ranging in size from 3,325 sf to 4,933 sf. The units feature private balconies with barbeque grills and fire places, private or shared elevator access, and private parking garages with storage area. The site features a community swimming pool with SPA and sun deck, beach front access, and native and Florida friendly landscaping.

Background:

- According to the Palm Beach County property appraiser, the existing building (Wright by The Sea) was built in 1953.
- On July 26, 1988, the subject site was annexed (Ord. No. 67-88) by the City of Delray Beach from Palm Beach County and zoned RM-15 multi-family.
- On December 2, 1996, the Director of Planning and Zoning approved a non-impacting Class I Site Plan modification (97-034) for a 4' aluminum fence around a swimming pool.
- On September 20, 2001, the Director of Planning and Zoning approved a Class I Site Plan modification (01-007) for the installation of two handicap accessible parking spaces.
- On November 22, 2002, the Director of Planning and Zoning approved a Class I Site Plan modification (02-281) for

the combination of two units.

- On July 22, 2009, the Planning and Zoning Department approved a Class I Site Plan modification for the installation of a wooden patio deck.
- On December 19, 2018, the Agent of the applicant submitted a Class V Site Plan application for the construction of a three-story, 19-unit luxury condominium building on the subject site.

Site Plan Analysis:

Compliance with the Land Development Regulations:

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

- Pursuant to LDR section 4.4.6 (A) Purpose and Intent, The Medium Density Residential (RM) District provides a residential zoning district with flexible densities having a base of 6 units per acre and a maximum of 12 units per acre. The actual density of a particular RM development is based upon its ability to achieve certain performance standards which are intended to mitigate the impacts of the increased density and ensure that the project is compatible with surrounding land uses. Further, the Medium Density residential district provides for implementation of those objectives and policies contained within the Housing Element of the Comprehensive Plan which call for accommodating a variety of housing types.
 - ✓ Currently, the subject site has a 29-unit motel building that was built in 1953. However, the motel use is not permitted use in the RM zoning district, thereby making the current building non-conforming. The proposed development is for a 19-Unit Luxury Condominium building. The RM zoning district list multiple family structures as a principle permitted use. The property is a 2.27-acre site which can allow up 27 dwelling units (2.27 x 12 = 27 du/ac). Furthermore, the RM zoning district allows for a 35' height limit above the average crown of the dune. The proposed building height is shown as 34'-6". As such, the proposed development meets the use, density and compatibility requirements for the RM district, thus complying with this requirement.
- Pursuant to LDR section 4.4.6 (E)(2) Review and Approval process, new multiple family uses, and structures must be approved by the Site Plan Review and Appearance Board (SPRAB) pursuant to the provisions of section 2.4.5(F), 2.4.5(H), and (I), unless the property is located within a designated historic district or is individually designated.
 - Before the board is a Class V application with requesting site plan, landscape plan, and architectural elevation approvals for the development of a three-story, 19-Unit Luxury Condominium building in accordance with LDR section 2.4.5 (F), (H), and (I). Thus, this requirement has been met.

Establishment of the Proposed Use/ Certificate of Occupancy:

Per LDR section 2.4.6(C), a certificate of occupancy is required prior to the establishment of use on any site or occupancy of a structure. Prior to issuance of an occupancy permit, all conditions associated with this development approval shall be met.

Development Standards:

Per LDR section 2.4.6(C), a certificate of occupancy is required prior to the establishment of use on any site or occupancy of a structure

Base District Requirements:

LDR section 4.3.4 (K) Development Standards Matrix

Zoning	Required	Provided
Medium Density Residential (RM)	·	
Lot Frontage (Min.)	60'	134'
Lot Coverage (Max.)	40%	36.5%
Lot Area (Min.)	8,000 sf	98,666 sf



Open Space (Min.)	25%	46.9%
Height (Max.) *	35'	34'-6"
Setbacks (Min.):		
Front (West)	25'	48'
Side Interior (North/South)	15'	15'
Rear (East)	25'	100'

Pursuant to LDR section 4.3.4 (J)(2)(e), Basis for Measurement, the height of buildings located within the Federal Emergency Management Agency (FEMA) "V" zone, the grade is established as the higher of the following: (i) The minimum required finished floor or base flood elevation as published by FEMA and the Florida Building Code, as amended; or, (ii) The average crest of the dune located within the property limits, measured from north to south.

- ✓ As identified above, the proposed development meets the minimum and maximum requirements within LDR for the RM zoning district. The applicant has not requested any waivers. Thus, this requirement has been met.
- Pursuant to LDR section 4.4.6 (F)(3)(b) Porte-Cochere Setbacks, garages, carports and porte-cocheres must have a minimum 20 feet setback when the entrance faces a public street or alley.
 - ✓ The plans show a 22' wide porte-cochere fronting on Ocean Blvd (A-1-A). The porte-cochere has an approximate setback of 71' from the front property line. Thus, complying with this requirement.
- Pursuant to LDR section 4.4.6 (F)(3)(c) Porch encroachments, porch encroachments. Front porches may extend
 five feet into the front or side street setback and cannot occupy more than 50 feet of the building frontage and
 cannot be enclosed in any manner.
 - Site Plan page A101 shows the patio at Unit 1 encroaching into the side yard setback to the north by 5.67. A note was added to this report requesting a revised plan be provided showing the patio at unit 1 be be reduced to 5' prior to site plan certification.
- Pursuant to LDR section 4.4.6 (I)(1) and (2) Performance Standards,
- 1) In order to increase a project density <u>beyond six units per acre</u>, the approving body must make a finding that the development substantially complies with the performance standards listed in this section.
 - a) The traffic circulation system is designed to control speed and reduce volumes on the interior and exterior street network. This can be accomplished through the use of traffic calming devices; street networks consisting of loops and short segments; multiple entrances and exits into the development; and similar measures that are intended to minimize through traffic and keep speeds within the development at or below 20 m.p.h.
 - ✓ The plans provide show a one-way driveway bringing the traffic into the property. The driveway has one entrance and one exit on and off Ocean Blvd. The driveway will direct internal traffic into to the under-ground parking garage, to surface parking spaces, or through the porte-cochere at the front entrance of the building. The site plans show stop bars with signage at the exits of the garage area and the driveway loop which will halt out going traffic, which will slow down internal traffic speed. Furthermore, the driveway design shows surface parking spaces which will slow down internal traffic speed of vehicles entering and leaving the site. The site plan also shows a porte-cochere at the front entrance of the property which will aid in reducing internal traffic speed as i.e. guest and drop off deliveries use the space. Lastly, the plans show an approximate 35' long driveway approach to the property which will allow vehicles to reduce speeds entering and exiting the property. Thus, a positive finding can be made regarding this standard.
 - b) Buildings are placed throughout the development in a manner that reduces the overall massing and provides a feeling of open space.
 - ✓ The plans show the building designs to be a modern style masonry building. The overall building was designed to create views and interactions with the adjacent beach area. The design includes reveals, and voids created by patios, alternating façades depths and sizes, and varying building setbacks that reduce the overall massing of the structure and creates a presence of open space throughout the site. Furthermore, the buildings varying setbacks throughout the building create views of the beach

which add to the feeling of open space. The plans show the front of the building with a port-cochere opening to a courtyard area with driveway loop. Additionally, the front yard of the building has an increased setback which adds to the feeling of open space at the front of the property. The rear of the building which opens out to the beach, has an increased setback from the property line of approximately 150', which adds to the open space on site. Thus, a positive finding can be made regarding this standard.

- c) Where immediately adjacent to residential zoning districts having a lower density, building setbacks and landscape materials along those adjacent property lines are increased beyond the required minimums in order to provide a meaningful buffer to those lower density areas. Building setbacks are increased by at least 25 percent of the required minimum; at least one tree per 30 linear feet (or fraction thereof) is provided; trees exceed the required height at time of planting by 25 percent or more; and a hedge, wall or fence is provided as a visual buffer between the properties.
 - ✓ This standard does not apply to this project as the subject site is adjacent to RM zoned multi-family properties to the north and south. However, the project does provide privacy walls, lush shrubbery, and trees to screen the property from adjoining neighbors.
- d) The development offers a varied streetscape and building design. For example, setbacks are staggered and offset, with varying roof heights (for multi-family buildings, the planes of the facades are offset to add interest and distinguish individual units). Building elevations incorporate diversity in window and door shapes and locations; features such as balconies, arches, porches, courtyards; and design elements such as shutters, window mullions, quoins, decorative tiles, etc.
 - As shown on the plans and renderings, the development design incorporates a variety of building elements. As previously mentioned, the buildings design contains varying facade depths, staggered setbacks, alternating roof heights, and architectural reveals the create an aesthetically dynamic form to the building. The building elevations include cantilever balconies with glass balustrades and aluminum railings, parapet walls, façade scoring, stone and porcelain cladding, and architectural fins. Additionally, the elevations include grey aluminum windows and door frames with impact resistant glass and materials. Furthermore, the building includes a porte-cochere at the main entrance, which invite people into the property and provides for deliveries and loading. Lastly, the streetscape design includes a row of large mature relocated Coconut Palms with green island ficus shrubs and seasonal colored plants along Ocean Blvd, which buffer the property from the adjacent swale and right-of-way (ROW) and add shading and aesthetic beauty to the property and corridor. Thus, a positive finding can be made in regard to this standard.
- e) A number of different unit types, sizes and floor plans are available within the development in order to accommodate households of various ages and sizes. Multi-family housing will at a minimum have a mix of one, two- and three-bedroom units with varying floor plans. Single family housing (attached and detached) will at a minimum offer a mix of three- and four-bedroom units with varying floor plans.
 - ✓ The plans provide show the building is designed with a variety of three and four-bedroom luxury condominium units ranging in size from 3,325 sf to 4,933 sf. In addition, some of the four-bedroom units have a den which can be converted into a fifth-bedroom. The floor plan designs vary from floor to floor throughout the building, taking advantage of the ocean view. Thus, a positive finding can be made in regard to this standard.
- f) The development is designed to preserve and enhance existing natural areas and/or water bodies. Where no such areas exist, new areas which provide open space and native habitat are created and incorporated into the project.
 - ✓ The subject site is situated on the beach area. The proposed design demonstrates the intent to preserve natural dune area, native habitat environment, and beach access and scenery. The beach is a natural area with sand dunes, native and Florida Friendly vegetation, and wildlife habitat. The plans show the building being setback approximately 150' from the rear property line to increase on site open space and to keep as much of the existing dune intact. The plans show the crown of the dune is approximately 16' NAVD (North American Vertical Datum 1988) above the mean sea level.

The plans show limited cut and fill on site to keep as much of the dunes area intact.

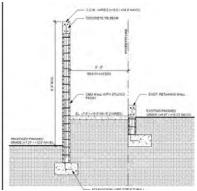
East of the Erosion Control Line (ECL), is held in trust by State of Florida and managed by the Florida Department of Environmental Protection (FDEP) and Army Corps Engineers. The landscape material east of the erosion control line contains landscape material that provide food and shelter for native habit and soil stabilization for the dune, will be undisturbed and remain as is. The landscape material west of the ECL on subject property, will be consist of new and existing landscaping to be compatible with the native habitat friendly vegetation that remains east of the ECL. Thus, a positive finding can be made in regard to this standard.

- g) The project provides a convenient and extensive bicycle/pedestrian network, and access to available transit.
 - ✓ As situated, there are no mass transit routes within the vicinity of the subject site. However, the site is located adjacent to a multipurpose pathway on the west side of A-1-A. The pathway is paved with asphalt which accommodates bicyclist and pedestrian. The plans show bicycle racks on in the inside of the porte-cochere that will provide spaces for bicyclist visiting the building. Thus, a positive finding can be made in regard to this requirement.
- 2. It is acknowledged that some of the above referenced standards may not be entirely applicable to small, infill type residential projects. For those types of projects, the ultimate density should be based upon the attainment of those standards which are applicable, as well as the development's ability to meet or exceed other minimum code requirements.
 - ✓ The plans provided so compliance with applicable performance standards listed in LDR section 4.4.6 (I)(1)(a),(b),(d),(f),(g), as indicated above. LDR section 4.4.6 (I)(c), which requires additional setbacks and landscape buffering for properties adjacent to lower density zoning districts, was not applicable since the subject site abuts an RM condo to the north and hotel to the south. Lastly, LDR section 4.4.6 (I)(3), is not an applicable requirement since the property is not being proposed for rezoning. As such, since the proposed project meets all the aforementioned performance standards, a positive finding can be made in compliance with this section warranting a maximum of 12 du/ac for the site. It's important to note, that the project is proposing to develop approximately 9 du/ac.

Base Zone District:

- Pursuant to LDR section 4.6.5 (C), walls, fences, or hedges located in a required front yard or street side yard shall not exceed six feet in height. Walls, fences, or hedges located in a required interior side or rear yard shall not exceed eight feet in height.
 - ✓ The plans show an 8' retaining wall running the perimeter of the property line at the north and south sides of the site. The walls are designed at 8' in height, but since the walls are retaining soil on and adjacent to the property, varying portions of the wall would be visible. Furthermore, since the building is in the Federal Emergency Management Agency (FEMA) Velocity Zone (VE) area of the RM district, height is taken from the crown of the dune. Therefore, since wall heights are measured above the crown of the dune, the wall heights as proposed are in compliance with the LDR. Thus, this requirement has been met.







Supplemental District Regulations

Lighting:

The chart below includes the lighting requirements in accordance with LDR Section 4.6.8:

Outdoor Lighting	Requirement	Provided
Pathway	5.0 (Max)*, 0.5(Min)	0.7 (Max)
Building Entrance	10.0 (Max), 1.0 (Min)	6.8 (Max), 0.0 (Min)
Landscape Lighting	5.0 (Max)	6.8 (Max), 0.0 (Min)
Porte-Cochere	30.0 (Max), 3.0 (Min)	6.8 (Max), 0.0 (Min)
Parking Garage Area: Ramps – Day: Ramps – Night:	10 (Max), 1.0 (Min) 20 (Max), 2.0 (Min) 10 (Max), 1.0 (Min)	TBP TBP TBP

In accordance with LDR section 4.6.8 Lighting, when lighting is proposed within the vicinity of the beach it shall comply with all other City of Delray Beach Code sections, including, but not limited to, section 91.51 (Sea Turtles) which requires that all lighting shall be screened or shielded so that the light is not visible from the beach. As mentioned, the subject site is located on the beach. When sites are located on the beach, sea turtle lighting standards are required. The site plans provided show photometric calculations less than minimum requirements listed in the LDR, but not greater. Furthermore, the light fixtures specified on the plan show bollard lights at 3.5' in height with cut off luminaires, and a variety of surface mounted pendant mounted lights with cut off luminaires. Since the garage area is underground and oriented away from the beach, no photometric plans were provided. However, since LDR requires photometric plans for parking structures, a note was added to the report requesting that an additionally photometric plan be provided for the underground garage prior to site plan certification.

Off Street Parking Requirements:

Parking	Required	Provided
Multi-Family Parking (2.0 per unit)	(19x2) = 38	38 regular + 6 compact = 44 spaces
Guest Spaces (0.5 per unit)	$(0.5 \times 19) = 10$	10
Total	48	54 spaces

- ✓ The plans provide show compliance with LDR section 4.6.9 (C)(2)(c) for Off-Street Parking Requirements. The LDR section requires that 48 spaces be provided for multi-family developments. The plan shows 38 parking spaces under ground in dedicated parking garages. In addition, six of the units contain an additional compact parking space for economic vehicles, which surpass the minimum requirement. Lastly, the plans show 10 guest spaces in the front of property of which contain two ADA accessible parking space. Thus, complying with this requirement.
- Pursuant to LDR section 4.6.9 (D)(3)(c), Stacking Distance, provisions must be made for stacking and transition
 of incoming traffic from a public street, such that traffic may not backup into the public street system. The minimum
 distance between a right-of-way and the first parking space or aisleway in a parking lot shall at least 20' for nonlocal streets.
 - ✓ As shown on page A101, the distance between the parking spaces at the north and south entrances to A-1-A is approximately 35'. The 35' swale area provides for greater stacking distance to the first parking space from what is required in the LDR. Thus, complying with this requirement.

Maneuvering Area, aisle width, and space width:

✓ The plans provided show compliance with LDR section 4.6.9 (D)(4) maneuvering Area, aisle width, and space width. Page A200, shows the 19 private parking garages in an underground parking structure that can accommodate two to three cars. The compact car spaces shown on the plans in the parking garage are 8'x17' which is greater than the minimum requirements in the LDR. Although not required, the plans show golf cart parking spaces throughout the garage, in individual spaces and in private garages for the

unit. Site plan page A101, shows 10 guest parking spaces in front of the building. The guest spaces are shown on Civil page PD-3 are 45° angle spaces and are greater than 9'x18', exceeding the minimum requirement in the LDR. The plans also show two handicap parking spaces at 12'x18', which meets the minimum LDR requirement. The drive aisle in the front of the property for one-way traffic is shown at 18' in width, which exceeds the LDR requirement. The plans show the drive aisles for the parking garage to be greater than 24'-6", which exceeds the minimum LDR requirement for one-way and two-way traffic. Thus, this requirement has been met.

Sight Line Visibility:

- Pursuant to LDR section 4.6.14 Right-Of-Way in State or Federal jurisdiction, sight visibility measurements at the intersection of a right-of-way, accessway, or driveway and a right-of-way under County, State or Federal jurisdiction are subject to sight visibility requirements from those authorities.
 - ✓ As mentioned, the subject site fronts onto the State Road A-1-A, which is managed by the Florida Department of Transportation (FDOT). As such, the sight line visibility requirements are subject to state regulations. The plans provided show FDOT sight line triangle on A102, with no obstruction shown impeding visibility. Thus, this requirement has been met.

Swimming Pool:

- Pursuant to LDR section 4.6.15 (G)(1), Swimming pools, the tops of which are no higher than grade level, may extend into the rear, interior or street side setback areas but no closer than ten feet to any property line.
 - The plans provided shown an above ground swimming pool with built up deck area located at the southeast corner of the building. The plans show the pool setback approximately 20' from the side property line and 118' from the rear property line. However, the plans show the spa approximately 6' feet from the side property line. As such, a note was added to the report requesting that revised plans be provided prior to site plan approval showing the spa setback from the property line be at least 10'.

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).
 - ✓ The landscape plans provided have been reviewed and recommended for approval by the City's Senior Landscape Planner. The plant selection features a variety of native and Florida Friendly plants. The plans show relocated Coconut Palm trees and green island ficus hedging lining the front of the property adjacent to A-1-A and in the parking island at the front of the site. The south portion of property is buffered by a mix of green buttwood trees, coconut palms, and cabbage palms, and small leaf clusia and silver buttonwood hedges. The rear of the property shows a variety of existing coconut palms to remain, and existing native seagrape and sea oat plants. The plans show the north portion of the property to buffered by a combination of relocated coconut palms, cabbage palms, thatch palms, and green buttonwood trees with a variety of green island ficus, silver buttonwood and clusia shrubs as a foundation. The plants provided meeting the minimum quanties specified in the LDR. However, mitigation will be required for existing trees that are proposed to be removed. Plan page TD-1, shows the mitigation required and a note was added to this report, stating that mitigation would be required prior to building permit. Thus, this requirement has been met.

Architecture Elevations:

- Pursuant to LDR section 4.6.18(B)(2), buildings or structures located along strips of land or on single sites, and not
 a part of a unified multi-building complex, shall strive to achieve visual harmony with the surroundings. If they are
 built in undeveloped areas, the three primary requirements shall be met: express honest design construction, show
 proper design concepts, and be appropriate to the City.
 - ✓ As mentioned, the proposed development is a 19-Unit, three-story, luxury condominium building with underground parking. The building is located on the beach at 1901 S. Ocean Blvd, where currently the "Wright by the Sea" motel exists. The subject site is located is the RM zoning district, which lists Multi-Family developments as a permitted and not motel. The building features private patio space viewing the

REAL PROPERTY.

SITE PLAN REVIEW AND APPEARANCE BOARD STAFF REPORT

ocean on for each floor for every unit. The building entrance features a porte-cochere which invites people through a one-way travel loop from the public realm in to the private. The proposed building is designed with modern masonry elements. The building design contains varying facades depths, staggered setbacks, alternating roof heights, and architectural reveals the create an aesthetically dynamic form to the structure. The building elevations include cantilever balconies with glass balustrades and aluminum railings, parapet walls, façade scoring, stone and porcelain cladding, and architectural fins. Additionally, the elevations include grey aluminum windows and door frames with impact resistant glass and materials. The colors proposed for the window and door frames will be a "Medium Grey" aluminum, the column, fins, and entry doors will be "Espresso" color, the decorative grill will be "Bronze Rust" aluminum, and the stucco walls will be "Repose Grey". In addition, the 1st floor privacy walls to be cladded with cut Coquina (St. Augustine Cast Stone) and the entry unit walls will be cladded in grey marble.

- ✓ The proposed building expresses "<u>honest design construction</u>", as it uses weather resistant materials, impact resistant windows and doors, and low voltage site lighting. Thus, this requirement has been met.
- ✓ The proposed building expresses "proper design concepts" by utilizing modern architectural design aesthetics, compatible colors with surrounding facades and similar scale with adjacent buildings. Thus, complying with this requirement.
- ✓ The proposed building is "appropriate to the city" as it is consistent in scale and design with the adjacent multi-family structures along beach side of A-1-A. Furthermore, the proposed use is permitted in the RM zoning district. Thus, complying with this requirement.
- Pursuant to LDR section 4.6.18 (E), Criteria for board action, the following criteria shall be considered, by the Site Plan Review and Appearance Board or Historic Preservation Board, in the review of plans for building permits.
 - 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.
 - ✓ As mentioned, the building design is compatible with the neighborhood and will increase the overall aesthetic deign of the community. Furthermore, the size and scale are in accordance with the RM zoning district. Lastly, the site incorporates over 40% open space which exceeds the minimum LDR requirement, adding to the spaciousness of the site. Thus, a positive finding can be made in regard to this requirement.
 - 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.
 - ✓ As mentioned, the exterior design incorporates modern masonry designed architecture. The contemporary design is compatible with the overall aesthetic on the east side of A-1-A. Thus, a positive finding can be made regarding this requirement.
 - 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.
 - ✓ As mentioned, the proposed project is compatible in scale, density and zoning of the properties adjacent to the site. Furthermore, the project complies with the goals, objectives and policies listed in the comprehensive plan. Thus, a positive finding can be made in regard to this requirement.

Flood Requirements:

- Pursuant to LDR section 10.1.1 (C), Intent, The purposes of the Floodplain Management Regulations and the flood load and flood resistant construction requirements of the Florida Building Code are to establish minimum requirements to <u>safeguard the public health</u>, <u>safety</u>, and <u>general welfare</u> and to <u>minimize public and private losses</u> <u>due to flooding</u> through regulation of development in flood hazard areas.
 - ✓ The subject site located on 1901 S. Ocean Drive, is located FEMA Zone V flood zone (aka VE Zone). V
 Zones are coastal high hazard areas which are in the category of special flood hazard areas (SFHA)

according to FEMA. These zones require buildings to be built to a base flood elevations (BFE) and to incorporate flood management components throughout the structure and the site consistent with FEMA, Florida Building Code, and the LDR. The BFE, including wave height, is relative to the North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). Pursuant to LDR section 10.1.2 (B), the Floodplain Management Regulations (Chapter 10) shall apply to all flood hazard areas within the City of Delray Beach.

- Pursuant to LDR section 2.4.3 (B),(21) Submissions requiring formal action, The following items shall be
 included as a part of any <u>plan submission which requires formal action</u>: (21) F.E.M.A. Flood Plain designation for
 the property, the base flood elevation, and a statement as to how provisions of the Flood Damage Regulations will
 be met.
 - ✓ In addition to the site plans for the application, the applicant supplied a Flood Damage Prevention Analysis (the Statement), Structural Design Statement, V-Zone Certificate and Stormwater drainage calculations to demonstrate compliance with the LDR Chapter 10 requirements. The information submitted was reviewed by staff and the City's independent engineering consultant "Masters Consulting Engineering, Inc" and was deemed compliant in accordance with the Florida Building Code, American Society of Civil Engineers (ASCE) 24, FEMA, and the LDR. Therefore, a positive finding can be made in regard to the information above.
- Pursuant to LDR section 10.3.1 (B), Buildings and structures seaward of the coastal construction control line, if extending, in whole or in part, seaward of the coastal construction control line and also located, in whole or in part, in a flood hazard area: (1) Buildings and structures shall be designed and constructed to comply with the more restrictive applicable requirements of the Florida Building Code, Building section 3109 and section 1612 or Florida Building Code, Residential section R322.
 - ✓ As mentioned, the proposed development was reviewed for compliance with Chapter 10 Flood Damage Control. As show on the site plans, a portion of the building is located east of the coastal construction line. A comment was added into the notes section of the report that request that approval for construction east of the coastal construction line be provided prior to building permit. Therefore, a positive finding can be made in regard to the information above.
- Pursuant to LDR section 10.1.4 (F), limitations on sites in coastal high hazard areas (Zone V). In coastal high hazard areas, alteration of sand dunes and mangrove stands shall be permitted only if such alteration is approved by the Florida Department of Environmental Protection and only if the engineering analysis required by LDR section 10.1.5(C)(4) demonstrates that the proposed alteration will not increase the potential for flood damage. Construction or restoration of dunes under or around elevated buildings and structures shall comply with LDR section 10.3.7(H)(3).
 - ✓ As mentioned, an engineering analysis was provided which demonstrated compliance with the aforementioned LDR section. Furthermore, the information provided demonstrates that the proposed development will not increase the potential for flood damage. Thus, complying with this requirement.
- Pursuant to LDR section 10.3.7 (A)(5), All development shall have mechanical, plumbing, and electrical systems above the design flood elevation or meet the requirements of ASCE 24, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.
 - The plans provided indicate that the generator and pool mechanical equipment will be installed at or above the BFE. In addition, the plans show the mechanical equipment on the roof which area which is substantially elevated above the BFE. However, the plans do not show if the elevator equipment will be installed above the BFE. Therefore, a note was added to the staff report requesting that the plans be revised to show flood proofing of the elevator equipment prior to building permit. Therefore, a positive finding can be made in regard to the information above.

REAL PROPERTY.

SITE PLAN REVIEW AND APPEARANCE BOARD STAFF REPORT

Required Findings:

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

Section 3.1.1 (A) - Future Land Use Map:

- The resulting use of land or structures must be allowed in the zoning district within which the land is situated and said zoning must be consistent with the applicable land use designation as shown on the Future Land Use Map.
 - ✓ As mentioned, the subject property has a FLUM designation of Medium Density (MD) and a Zoning map designation of Residential Medium (RM). The RM zoning district is consistent with the MD FLUM designation. In accordance with LDR section 4.4.6 (B)(3), multifamily structures are permitted principle use in the RM zoning district. Therefore, based on the information above, a positive finding can be made with respect to consistency with the Future Land Use Map (FLUM) designation.

Section 3.1.1 (B) – Concurrency:

- Facilities which are provided by, or through, the City shall be provided to new development concurrent with the issuance of a Certificate of Occupancy. These facilities shall be provided pursuant to levels of service established within the Comprehensive Plan.
 - ✓ A positive finding of Concurrency as it relates to water and sewer, streets and traffic, drainage, parks and recreation, open space, solid waste, was made as part of the Class V site plan approval.

Section 3.1.1 (C) – 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.
 - ✓ As described in Appendix "B", a positive finding of Consistency can be made as it relates to Standards for Site Plan Actions.

Section 3.1.1 (D) - Compliance with the 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 can be made.

Adjacent Land Uses:

Pursuant to LDR section 2.4.5(F)(5), Adjacent land use designations, "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 table indicates the zoning and land use of the properties surrounding the subject property:





✓ As mentioned, the subject site is located at 1901 S. Ocean Blvd, in the RM zoning district. The subject site is bordered by RM zoned parcels with condominium uses on the north, south and west sides of the property. The adjacent buildings range from range in size from two to four stories. Therefore, based on the information above, a positive finding can be made with respect to the compatibility of the proposed building with adjacent uses.

Comprehensive Plan Policies:

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

Future Land Use Element (FLUE)

- Objective A-1: Property shall be developed or redeveloped, in a manner so that the future use, intensity, and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable goods and services; are complementary to and compatible with adjacent land uses and fulfill remaining land use needs.
 - ✓ The proposed development is multifamily condominium building. The building is slated to replace the current "Wright by the Sea" Motel. The motel is not a permitted use within the RM district, but the proposed multifamily condominium is. The proposed development is compatible in density with the RM zoning district. Specifically, RM zoning allows for 12 du/ac. The proposed request is for the construction of approximately 9 du/ac (19-units/2.27 acres=8.37), which is less than the maximum allowed. The civil plans provided show areas of cut and fill onsite, and areas with where no disturbance was made to the dune. As cut and fill analysis was review by the City's independent engineering consultant and was met with sufficiency. The proposed improvement is deemed a compatible and appropriate use for this site, as it is permitted by both the LDRs and Comprehensive Plan. Therefore, a positive finding can be made with regard to Future Land Use Element Objective A-1.

- Pursuant to LDR section 3.2.3 (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.
 - ✓ As mentioned, the subject site is located across the street from a multi-purpose pathway. The plans provided show bicycle racks in the front of the building by the porte-cochere, which encourage bicycle use. However, since the subject site is not located along a transit route, a financial contribution towards a bus shelter will be required. Therefore, a positive finding can be made with regard to this requirement and policies.

Review by Others:

Utility Providers:

 Pursuant to 2.4.2 (C)(2)(a), utility providers where notified of the site plan submission and no objections have been provided to date.

Green Initiatives Advancement Board (GIAB):

The GIAB reviewed the site plans for sustainable design (see attached comments).

Courtesy Notices:

- Pursuant to 2.4.2 (C)(3), courtesy notices have been provided to the following homeowner's associations, which have requested notice of developments in their areas:
 - Del Harbour Condo Association
 - Penthouse Delray

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

Assessment and Conclusion:

In conclusion, the proposed 19-Unit, three-story, luxury condominium has found to have positive finding throughout the LDR. The multi-family development is consistent with the RM zoning requirements. The proposed development as designed is compatible with the surrounding properties in accordance with LDR section 2.4.5 (F)(5). Furthermore, the project is in compliance with the minimum zoning requirements for setbacks, height, parking and landscaping. Lastly, the proposed development meets the review and approval process in accordance with LDR section 4.4.13 (K)(2) and the site plan approval process in accordance with LDR section 2.4.4 (F). As such, staff is recommending approval for the Ocean Delray Class V site plan application.

Alternative Actions:

- A. Continue with direction.
- B. Move approval of the Class V Site Plan Modification application (2019-020) for Ocean Delray, 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)(1)(a) and Chapter 3, and section 4.6.16 of the Land Development Regulations.
- C. Move denial of the Class V Site Plan Modification application (2019-020) for Ocean Delray for Gunther Volvo, 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)(1)(a) and Chapter 3, and section 4.6.16 of the Land Development Regulations.

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:

- Civil plan page WD-1 show a proposed lateral connection into an existing 6" water main along A-1-A.
- Civil plan page WD-1 shows a proposed lateral connection 8" sanitary sewer main along A-1-A.
 - ✓ 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:

- Provide with the application was a traffic statement created by PTC Transportation Consultants. The statement mentions that trip generation analysis was created for AM and PM peak hours. The analysis demonstrates that the proposed project will generate fewer than 20 peak hour trips. Subsequently, the statement was provided to the Palm Beach County Traffic Division for review and met with approval.
 - ✓ As such, a positive finding was made by the Palm Beach County Traffic Division.

Parks and Recreation Facilities:

 Prior to building permit the applicant would be required to provide a Parks and Recreation impact fee to the City in accordance with LDR section 5.3.2 (C). The amount assessed shall be \$500.00 per dwelling unit regardless of size or occupancy.

Solid Waste:

Proposed Demand:

Residential Dwelling unit: 130,067 g.s.f x 0.52lbs = 67,634/2,000 = 34 tons per year

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

Element are appropriately addressed.

Not applicable

Tonnage per year = 34 tons

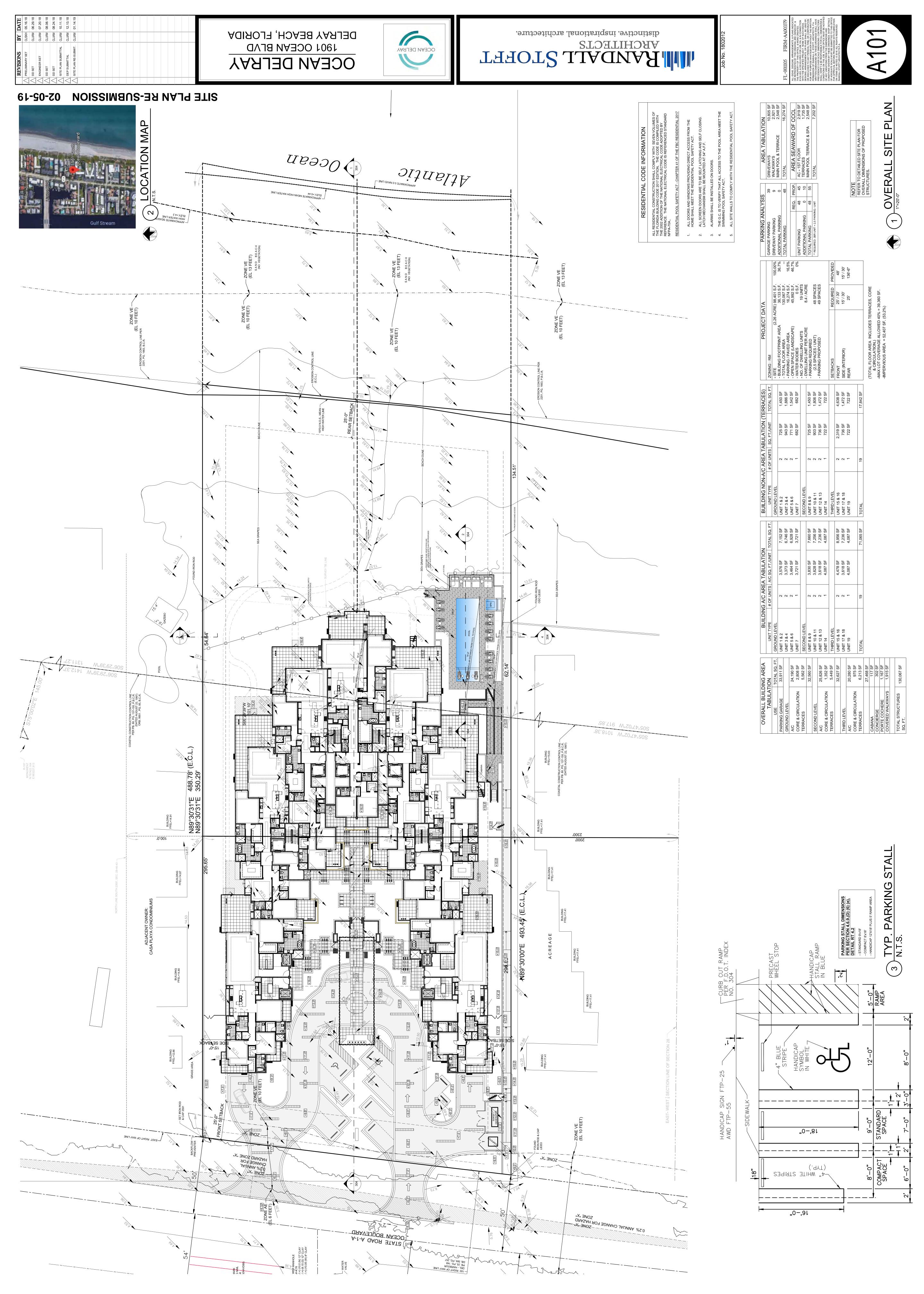
✓ The proposed Ocean Delray condominium building will add approximately 34 tons of waste per year to the current demand. The Solid Waste Authority has indicated that its facilities have sufficient capacity to handle all development proposals till the year 2048; thus, meeting concurrency.

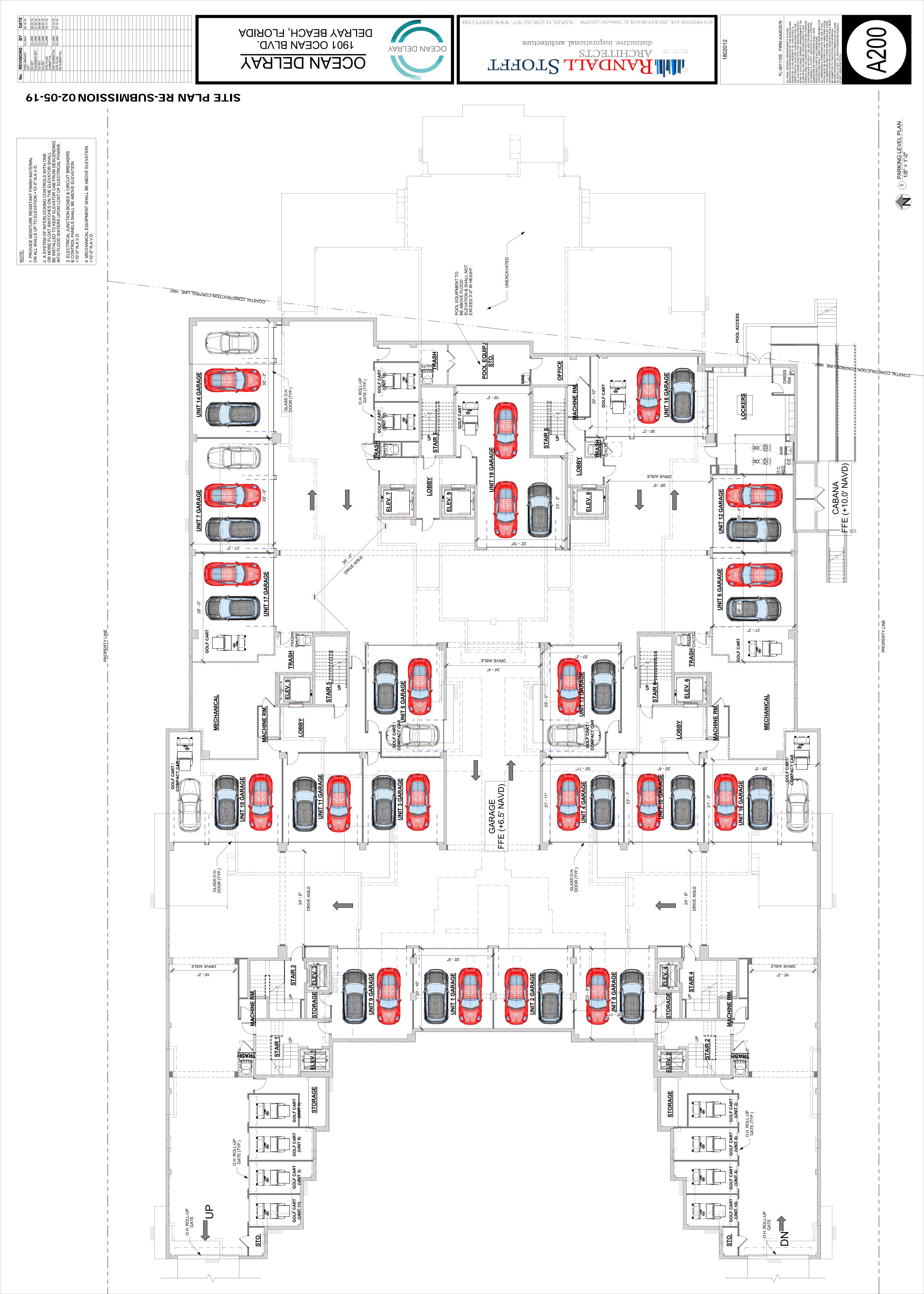
A. Building design, landscaping, and lighting (glare) shall be such that they do not create unwarranted distractions or blockage of visibility as it pertains to traffic circulation. Not applicable Meets intent of standard Does not meet intent B. Separation of different forms of transportation shall be 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



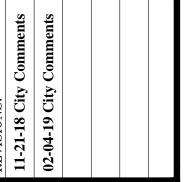
	☐ Meets intent of standard☐ Does not meet intent
D.	The City shall evaluate the effect that any street widening or traffic circulation modification may have upon an existing neighborhood. If it is determined that the widening or modification will be detrimental and result in a degradation of the neighborhood,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

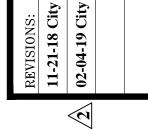


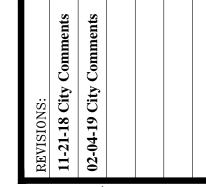


M.J.
APPROVED BY:

OCTOBER 9, 2018
DATE

















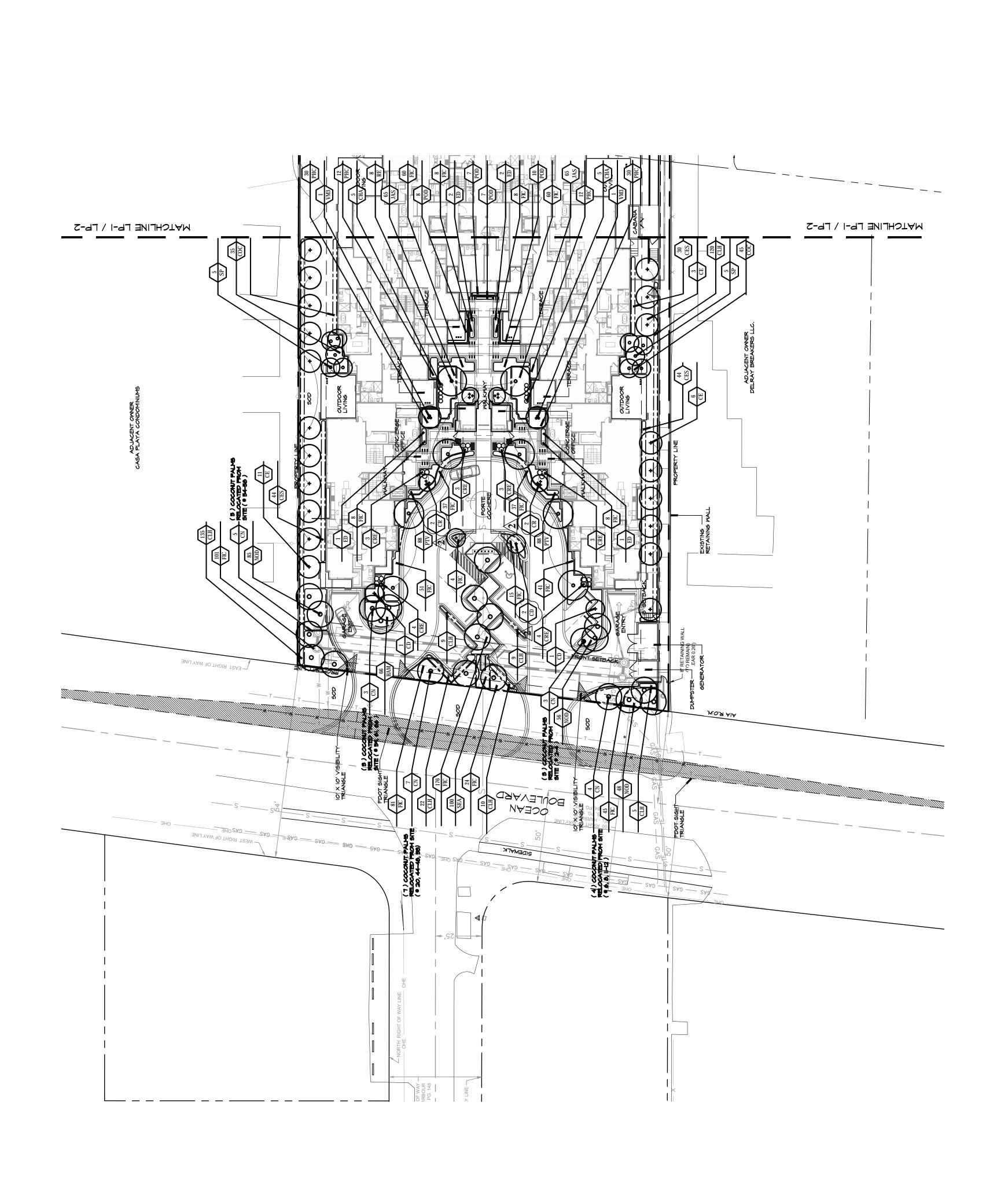


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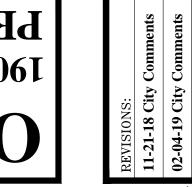


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M.J.
APPROVED BY:

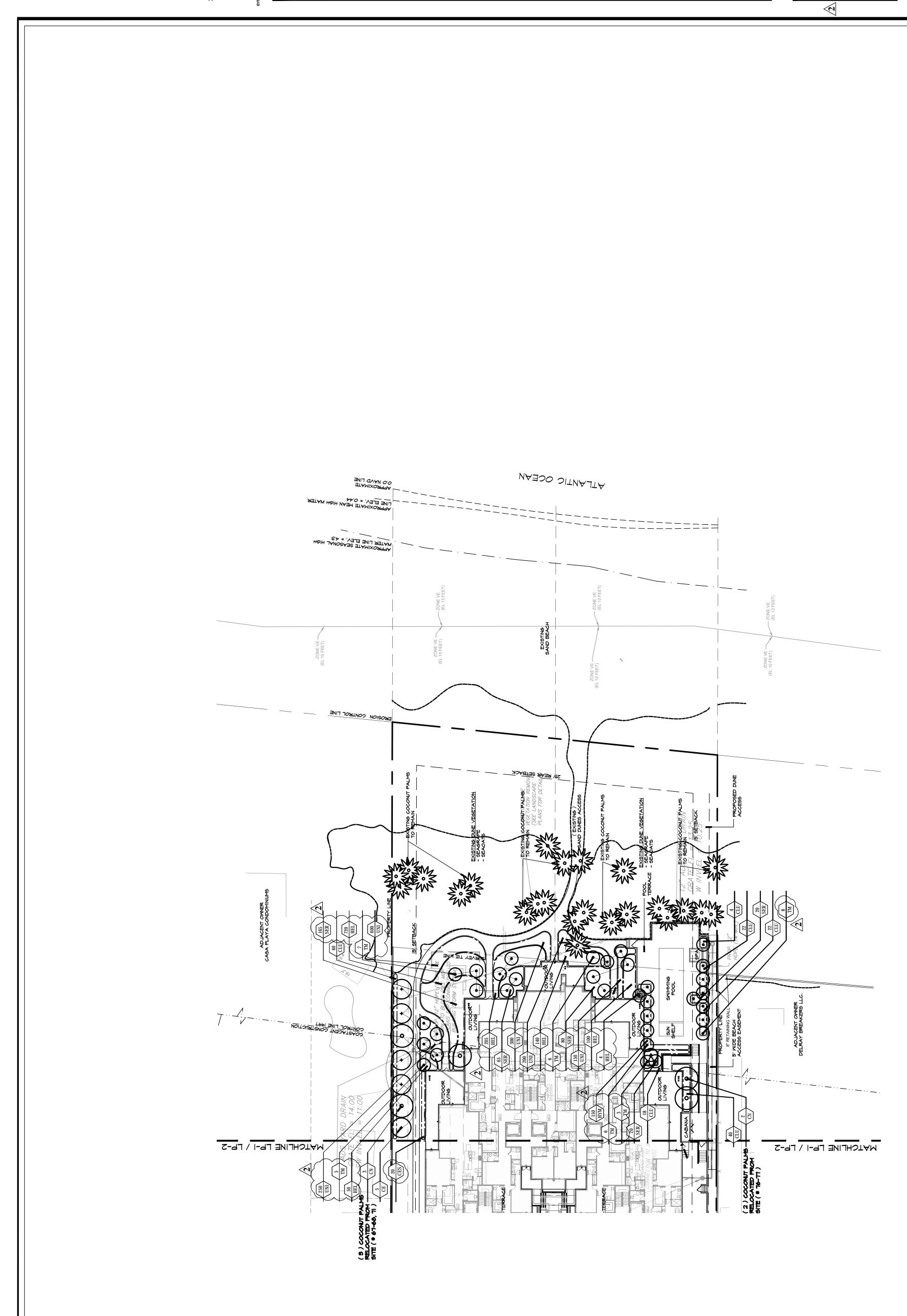
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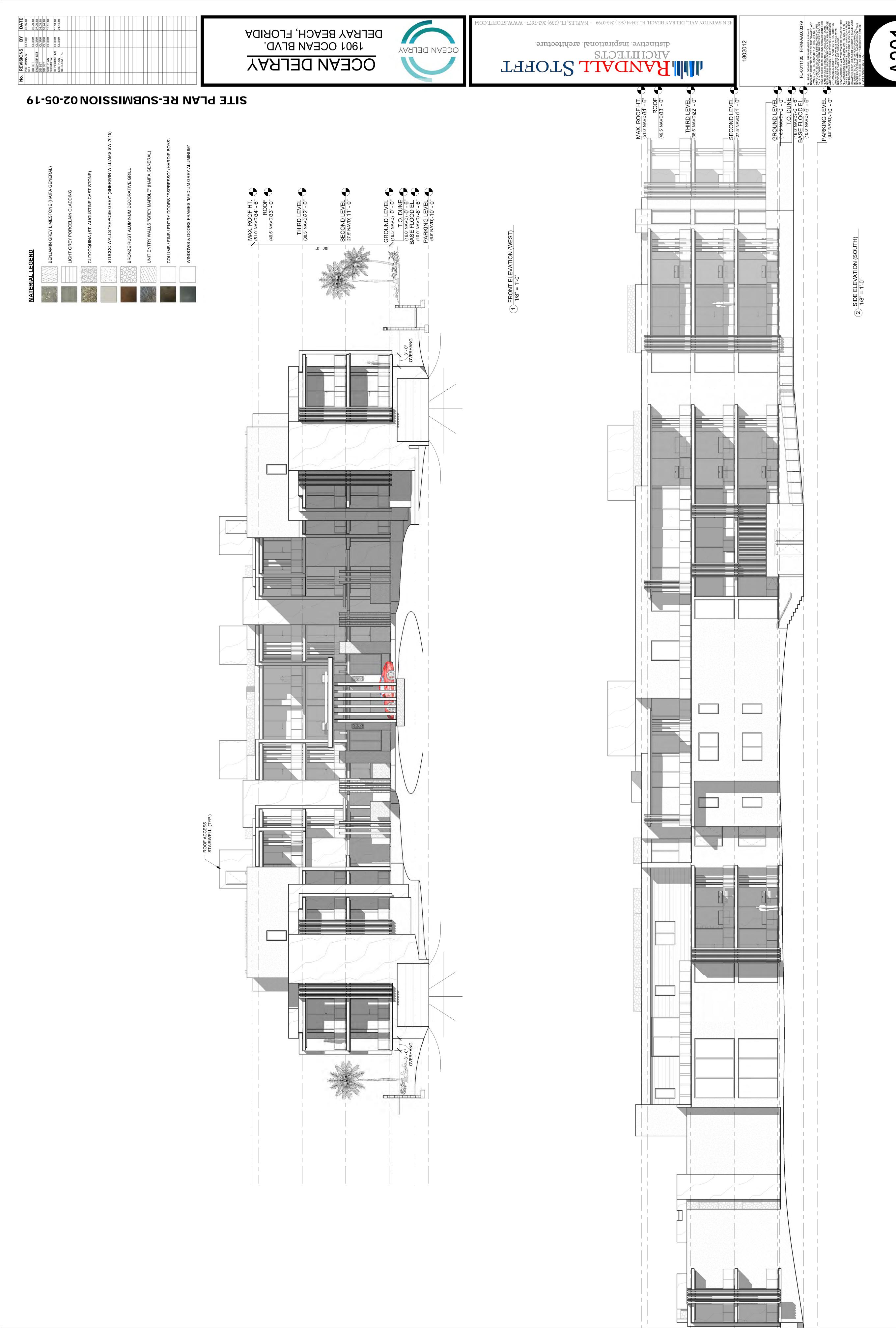


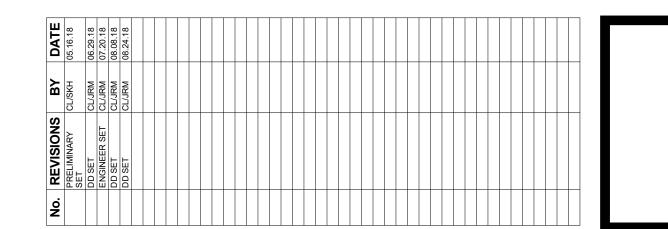


















SITE PLAN SUBMISSION 08/31/18

