



# SITE PLAN REVIEW AND APPEARANCE BOARD STAFF REPORT

DEVELOPMENT SERVICES DEPARTMENT

100 NW 1<sup>ST</sup> AVENUE, DELRAY BEACH, FLORIDA 33444

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

## SITE PLAN REVIEW AND APPEARANCE BOARD

**Meeting:** April 10, 2019

**File No.:** 2019-079-SPM-  
SPR-CLIII

**Application Type:** Class III Site Plan Modification,  
Landscape Plan, Architectural Elevations – Delray  
Chevrolet

**General Data:**

**Agent/Applicant:** Sax, Sachs, Caplan, PL, Michael Weiner

**Owner:** Greico Motors, LLC

**Location:** Northeast corner of the intersection of S. Federal Highway (US-1) and LaMat Avenue

**Property Size:** 3.93 Acres

**FLUM:** GC (General Commercial)

**Zoning:** AC (Automotive Commercial)

**Adjacent Zoning:**

- North: AC
- South: RM (Multiple Family Residential) and PC (Planned Commercial)
- East: RM
- West: AC

**Existing Land Use:** Commercial uses and vacant land.

**Proposed Land Use:** A two story, 33,060 sf full service automobile dealership and associated display, bullpen, employee, and customer parking area.

**Item before the Board:**

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

- ☐ Site Plan
- ☐ Landscape Plan
- ☐ Architectural Elevations



**Recommendations:**

**Site Plan:**

Approve the Class III Site Plan for **Delray Chevrolet** located at **2605 South Federal Highway**, 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 2.4.5(G)(5) and Chapter 3 of the Land Development Regulations, subject to the following conditions of approval:

- 1.The abandonments for Avenue F and Avenue G are granted by City Commission;
- 2.Temporary easement for access is provided over Avenue F until such time as improvements to LaMat are completed;
- 3.That the overhead doors remain closed unless a vehicle is entering or exiting the structure;
- 4.That no outdoor loud speakers be permitted as part of this site plan approval, based on the proximity to residential developments; and,
- 5.Abandonment resolution must be recorded simultaneously with the subdivision plat;

**Project Planner:**

Christine Stivers, Senior Planner;  
[stiversc@mydelraybeach.com](mailto:stiversc@mydelraybeach.com),  
561-330-6056

**Review Dates:**

**Attachments:**

- 1.Site Plans
- 2.Elevations
- 3.Landscape Plan



### Landscape Plan:

Approve the Landscape Plan for **Delray Chevrolet** located at **2605 South Federal Highway**, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in LDR Section 4.6.16.

### Architectural Elevations:

Approve the Architectural Elevations for **Delray Chevrolet** located at **2605 South Federal Highway**, 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), Section 4.6.18(E) 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. That a loading demand study be submitted and approved by Staff, which justifies the reduced number of off-street loading areas prior to site plan certification.
2. 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 landscaping installed within the right-of way. The maintenance agreement shall be recorded.
3. Site must be platted prior to building permit issuance.

### Background:

The 3.93 acre property encompasses Block 24 and Block 25, as well as portions of Avenue F and Avenue G between South Federal Highway and Frederick Avenue as shown on Del Raton Park Plat recorded in Plat Book 14 on pages 9 and 10 public records of Palm Beach County. An abandonment application for Avenues F and G has been submitted to the City; is recommend for approval by the Planning and Zoning Board and will need Commission approval after action is taken by the SPRAB. **This is noted as a condition of approval.**

Prior to June 1989, the subject property was located in unincorporated Palm Beach County. The property was annexed into the city as part of Enclave 50 (Enclave Act) on July 25, 1989, with a GC (General Commercial) and RM (Medium to Medium High Density Dwelling) zoning classification.

Subsequent to the annexation several zoning changes and Future Land Use Map (FLUM) amendments have been approved for the subject blocks. The following outlines the most recent FLUM and zoning changes:

### Block 24

- On October 1, 1996, the City Commission approved a FLUM amendment from Transitional (TRN) to General Commercial (GC) for Lots 1-5 and Lots 13-24 (less the west 38 feet) together with the abandoned alleys lying east of Lots 1-5 and east of Lot 23. Concurrently, the City Commission approved a rezoning from POD (Professional and Office District) in part and RM in part to SAD. The SAD zoning provided for the specific uses of the property, to include vehicle sales, leasing, and rental with no service component and vehicle wash establishments with the condition that only one of the principal uses may exists at any one time.
- On April 15, 1997, the City Commission approved a FLUM amendment from TRN to GC for Lots 6-10 (less the west 38 feet) and 11-12, together with the abandoned alleys lying east of Lots 6-10; and lying west of Lot 16 and 17. Concurrently, the City Commission approved a rezoning from POD in part and RM in part to SAD. The allowed uses under the SAD zoning included vehicle parking for employees, customers, display, bullpen and inventory to be used only in conjunction with the abutting property's (to the north and east) use of vehicle sales, leasing, and rental with no service component.

The resulting FLUM designation for Block 24 was GC and SAD zoning.

### Block 25

As noted above Block 25 was zoned GC and RM at annexation. Subsequent to annexation, there were several FLUM and zoning changes with the most recent changes outlined below:

- On June 17, 1997, the City Commission approved a rezoning from POD to NC for the east 77 feet of Lots 1-9 and the



abandoned alley lying west of Lots 1-9, Lots 10-14 and Lots 24-27.

- On January 16, 2007, the City Commission approved a FLUM amendment from TRN to GC for Lots 1-11 and the west ½ of Lot 12, Lots 25 -27 together with the abandoned alley lying between Lots 1-9 and less the west 38 feet of Lots 1-9. Concurrently, the City Commission approved a rezoning from NC to GC.

The result was GC in part, NC in part, and RM in part and FLUM designations of GC in part and TRN in part for the block.

#### Blocks 24 and 25

- On November 7, 2017, a rezoning of the properties within Blocks 24 and 25 to AC, for an automobile dealership as well as a FLUM amendment from TRN to GC for a 0.879 acre parcel located at the northwest corner of LaMat Avenue and Frederick Boulevard to allow for a GC FLUM designation on the entire property was adopted. Therefore, the entire site is now zoned AC with a FLUM of GC. As stated previously, an application for abandonment of the Avenues F and G right-of-way has been submitted and was recommend for approval by the Planning and Zoning Board on November 27, 2017.

The commercial buildings located on Federal Highway were formerly occupied by Insta Sign, Pawn Jewelry Place and Thrifty Used Car and Truck Sales.

The properties to be developed are located within the South Federal Highway Redevelopment Plan Area which was adopted by the City Commission on September 20, 2012. The South Federal Highway Redevelopment Plan area includes the commercial property along both sides of South Federal Highway, between Linton Boulevard on the north and the City limits to the south. The redevelopment plan was developed to address land use issues, sustainability of the commercial uses within the redevelopment area and to ensure compatibility between the commercial uses and neighboring residential uses. The redevelopment plan provides recommendations for a development within the designated areas. Applicants are encouraged to employ the recommendations of the Plan to increase setback distances, include building façade variations, and additional landscaping and screening over and above required by the LDRs.

At its meeting on October 24, 2018, the Site Plan Review and Appearance Board approved a Class V Site Plan, Landscape Plan and Architectural Elevations to allow a 30,800 sf full-service automobile dealership and associated parking on this parcel.

The current application before the Board is consideration of a Class III Site Plan Modification, Landscape Plan and Architectural Elevations associated with a 3.93 acre Automotive Commercial site to modify the approved Class V Site Plan, Landscape Plan and Architectural Elevations to allow a 33,060 sf full-service automobile dealership and associated parking.

#### Project Description:

The subject proposal is to modify the recently approved site plan that was for the construction of a two story, 30,800 sf full service automobile dealership to enlarge the facility to 33,060 sf. The building square foot increase resulted from a request from the Brand Company to increase the quantity of service bays provided. The architectural change to provide a mechanical platform on the second floor was driven by the location of the on-site utility hook-up from the offsite facilities. Changes to the approved plan are as follows:

- Increase the total square footage of the building from 30,800 sf to 33,060 sf
- Increase in first floor square footage from 25,550 sf to 26,600 sf
- Increase in second floor square footage from 5,250 sf to 6,100 sf including a mechanical platform.
- Southern façade is 57-feet from the property line at its closest point and was approved at 61-feet.
- Increase the number of service bays from 20 to 23 bays
- Increase the number of required parking spaces from 108 to 114 spaces
- Increase in open space from 25% to 26%
- Increase in the Landscape Buffer tree quantities along the southern property line.
- Decrease in parking provided from 267 to 263 spaces

The proposed development area includes Avenue F and Avenue G. As previously discussed, abandonment petitions for Avenue F



and Avenue G have been reviewed by staff and by the Planning and Zoning Board. On November 27, 2017 the Planning and Zoning Board recommended approval. The abandonment requests will move to City Commission for consideration upon final action of the Site Plan Review and Appearance Board in regards to the Class III Site Plan Modification.

Access to the site is from South Federal Highway or from the adjoining parcel to the north. No access points from LaMat Avenue or Frederick Boulevard are proposed. As the northernmost segment of Frederick Boulevard will become a dead end upon the abandonment of Avenue F, a cul-de-sac, for public access, is proposed.

#### Site Plan Analysis:

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.

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

#### LDR Section 4.3.4(K) Development Standards Matrix

The following table demonstrates the proposal complies with LDR Section 4.3.4(K) and Section 4.4.10 as it pertains to the AC Zoning District:

	Required	Provided
Minimum Lot Size	1.5 acres	3.93 acres
Minimum Lot Width	125'	575'
Minimum Lot Depth	200'	297'
Minimum Lot Frontage	125'	575'
Setbacks:		
Front (South Federal Highway)	15'	70.6"
Side Street (LaMat Street)	15'	50-75'***
Side Interior (North)	10'	300.3'
Rear (Frederick Boulevard)	10'	81'
Maximum Building Height	48'	30'
Open Space	25%	25%

\*\* Per South Federal Highway Redevelopment Plan Recommendation

#### LDR Article 4.4.10 – Automotive District Regulations:

**Principal Uses and Structures Permitted:** Per LDR Section 4.4.10(B), full service automotive dealerships are allowed as a permitted use. Full service dealerships are defined as, "the provision of all services necessary to accommodate the sale and service of new automobiles including franchise sales". At a minimum, all of the following must be accommodated at the dealership site in order to qualify as a full service automobile dealership, franchise auto sales, auto repair, and auto service."

The proposed development meets the definition of a full service automotive dealership. The development includes a showroom, offices, salesroom, parts department, service garage, storage and merchandise area, and inventory storage.

**Accessory Uses and Structures Permitted:** Per LDR Section 4.4.10(C), full service automotive dealerships are permitted to have a repair shop and garage as well as body shops. The proposed development includes these elements.

**Supplemental District Regulations:** This section includes supplemental district regulations specific to the AC zoning district.

**Outside Display:** The applicant proposes to include outdoor display stalls for inventory. This is standard for full-service automobile dealerships and is an existing condition found throughout the AC corridor. Outdoor display areas are located adjacent to South Federal Highway, only. These display areas are required to be screened by a twenty five foot wide landscape strip (25 feet along





South Federal Highway) that includes a three foot hedge or berm and trees planted at 40 feet on center. This requirement has been met.

**Bullpen Area:** Bullpen areas are defined as parking areas that allow vehicles to be stored on an approved parking surface without reference to parking stalls, stall striping, or wheel stops. Per LDR Section 4.4.10(G)(2), bullpen parking may be used for employee parking areas. The proposed development includes two bullpen locations at the northern areas of the site which is adjacent to another automobile dealership. The bullpen parking accommodates surplus inventory. Employee bullpen parking is located along the proposed wall along the eastern property line. Only those employee or service parking spaces that exceed the LDR required parking space quantities are permitted to utilize a bullpen parking area

**Customer and Employee Parking Areas:** The proposed parking scheme meets the parking standards. Refer to "Off-Street Parking" within this report for further details.

**Locational Restrictions:** Per LDR Section 4.4.10(G)(4), service bay doors shall not be oriented toward any adjacent residentially zoning property or toward adjacent public streets unless it is demonstrated to the Board that it is not feasible to comply with this requirement.

The applicant proposes bay doors along south façade which faces a RM zoned property. The intent of the subject requirement is to eliminate the exposure of service type uses which can be noisy and unsightly to adjacent residential development. The applicant provided a justification statement to demonstrate to the Board this it is not feasible to comply with the requirement due to the site constraints that limit the access to the service garage. It is noted that the doors will be "speed-doors" and will remain closed unless cars are entering and/or exiting. Additionally, there is landscaping along LaMat Avenue to provide additional screening of the southern facade. Therefore, the provision of overhead doors on this facade is supportable.

**Lighting Restrictions:** Per LDR Section 4.4.10(G)(6), exterior lighting fixtures shall not exceed 25 feet in height and shall be directed away from adjacent properties. These fixtures shall be sharp cutoff luminaries, shall confine the light to the site only and shall not exceed the established measurements when calculated ten feet within the property line.

The proposed photometric plan meets these requirements. Proposed pole mounted lights are 25 feet. The maximum FC ranges are 40-100 FC depending on location within the site. Per Section 4.4.10(G)(6)(c), after 11:00 p.m., the illumination in display areas shall be reduced to 50 foot candles. The Applicant proposes to reduce the foot candles to 50 after 9:00 p.m.

#### **LDR Article 4.6 - Supplemental District Regulations:**

**Special District Boundary Treatment:** Per LDR Section 4.6.4(A)(2)(b), commercially zoned parcels adjacent to residentially zoned parcels must comply with the following:

- Where the rear or side of commercially zoned property does not directly abut residentially zoned property but is separated from it by an alley, the commercially zoned property shall provide a ten-foot building setback from the property line located adjacent to the separator. There is an 81 foot setback from the west ROW line of Frederick Boulevard. The residentially zoned property is on the east side of Frederick Boulevard. Therefore the separation distance from residentially zoned property becomes 141 feet when the ROW width of 60 feet is added to the setback distance. Landscaping, that supersedes code requirements and a 6 foot high wall is proposed to help negate any adverse effects on the residential parcels from the proposed development.

**Fences, Walls, and Hedges:** A 6-foot high concrete wall system will be installed along the eastern property line (rear yard). The wall is setback a minimum of 5-feet from any property or tract line to allow for landscape material. In addition, a five foot high hedge has been proposed along the western edge of the compact bullpen parking area to screen the area from the northern entry drive.

**Commercial and Industrial Uses to Operate Within a Building:** Per LDR Section 4.6.6, all commercial uses shall operate within a completely enclosed building rather than outside, with the exception of the following allowable usage areas: off-street parking, refuse and service area, signage, loading and unloading, outside storage permitted by zoning district, and retail displays. All activities except for those permitted by the Code will be conducted inside the proposed structure.



This section also requires dumpsters to be enclosed on three sides and have solid gates on the fourth side that screen the dumpster from view. A concrete wall system enclosure with corrugated metal door panels is proposed and meets the code requirement.

**Signs:** Preliminary information regarding signage was included on the submitted elevation drawings. However, signage shall be formally reviewed under a separate submission and is not included in this request for approval.

**Lighting:**

\*This section is in addition to the AC district lighting standards.

Per LDR Section 4.6.8(A)(3), parking lot lights have a maximum height of 25 feet. Wall-mounted luminaries range between 12 and 16 feet. Pole heights along Frederick Boulevard are shown at 12-feet high.

All proposed luminaries are cut-off style, as required by the code and include LED bulbs. Refer to the Automotive Commercial district regulations (above) for further lighting standards. The submitted photometric plan complies with these standards.

**Off-Street Parking:** Pursuant to LDR Section 4.6.9(C)(3)(f), vehicular sales and rental uses shall provide four spaces per 1,000 sf of total building gross floor area, except indoor display area. This calculation is considered the required parking for the development. Further breakdown of the required parking shall be designated for employee, customer, and/or service use at the standard of one and one-half spaces per service bay and two spaces per 1,000 sf. of gross floor area (less indoor display area). Any remaining spaces may be used for display purposes.

The parking designation chart shown on Sheet C-7 provides a breakdown of parking uses and size of spaces provided. Display parking is located parallel to South Federal Highway. Two vehicle charging stations have been provided within the customer parking area on the southwest corner of the site. Bullpen parking has been screened per LDR requirements.

The parking space detail drawing demonstrates compliance with the required size for standard spaces, compact spaces, and ADA spaces.

Standard drive aisles are required to be between 24 and 26 feet wide. Twenty-foot wide aisles are proposed in the bullpen area. The reduction in aisle width provides an increase in open space from the previously approved plan. The proposed drive aisles comply with the design standard.

**Off Street Loading:**

Except for existing areas designated for off-loading, any areas designated for the off-loading of vehicles or for loading and deliveries shall be located to the rear of buildings and shall be located so as to contain noise on-site. These areas shall not be located closer than 100 feet from any residentially-zoned lot, and shall be appropriately designated, marked, and signed. The applicant has provided one off-street loading space centralized within the site and 137 feet from the eastern property line. Because the site plan shows only one loading space, the applicant shall submit a "loading demand statement" as permitted by Sec. 4.6.10.C to request a reduction from the two required berths to one berth. **The provision of this demand statement is listed and shall be provided prior to site plan certification.**

**Sight Visibility:** Per Sec. 4.6.14, the application demonstrates compliance with both the City's sight triangle requirements (10 feet for a driveway intersecting a street), and with the FDOT requirements shown on the site plan.

**Landscape Analysis:**

The Senior Landscape planner has reviewed the proposed landscape plan and found that it complies with LDR Section 4.6.16. The proposed landscaping includes native species such as Gumbo Limbo, Pigeon Plums, Silver Buttonwood, Seagrape, and Live Oaks. Native shrubs utilized are Silver Buttonwood, Cocoplum, Fire bush, Dwarf Yaupon Holly, and Simpson Stopper. Based upon the above, the proposed landscape plan will comply with LDR Section 4.6.16.

Within the AC zoning district, outdoor display of vehicles must be separated from all adjacent streets by a hedge or berm at least three feet high and trees planted at least 40 feet on center. The depth of landscape strip between the car display and the ultimate right-of-way shall be 25-feet. Bullpen parking does not require landscaping islands and strips. Ten percent interior landscaping requirement shall be met by transferring the required landscaping to the perimeter of the site or bullpen area. Bullpen island



calculations have been provided on Sheet L-1. The proposed design meets the requirements.

As discussed previously, additional perimeter landscaping was requested during the rezoning application to assist in negating any impacts to the existing residential properties. Street trees and additional landscaping have been proposed on the eastern side of the wall, along Frederick Boulevard, as well as along LaMat Avenue. Existing street trees within the median of LaMat Avenue will remain as this was a condition of the rezoning decision. Maintenance of the proposed trees within the public right-of-way will be the responsibility of the subject parcel owner. A Landscape Maintenance Agreement will need to be executed and recorded prior to building permit issuance for improvements along Frederick Boulevard and the northern ROW line of LaMat Avenue.

#### **Architectural Elevations Analysis**

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 proposed building is modern in appearance with primarily straight lines and a stylistically appropriate level of embellishment. This style is consistent with the use and surrounding development of the same nature. A neutral color palette is used. Glass and ribbed metal panels are used as accents to the primarily masonry structure. Projections and recessions are utilized on the southern façade as recommended in the South Federal Highway Redevelopment Plan to create a more interesting façade that faces the residential properties to the south. Several aluminum frame trellises with Bougainvillea vines are proposed to add a colorful and softening effect along the eastern facade.

The roof height is varied to avoid a continuous roofline. The flat roof includes parapets to hide the rooftop mechanical equipment.

Overall, the structure is harmonious with surrounding development along South Federal Highway. The additional landscaping, screening and façade elements aid in softening the larger mass of the proposed building in relation to the residences located to the east and south. A positive finding can be made with respect to LDR Section 4.6.18(E).

#### **Required Findings:**

Pursuant to LDR Section 3.1.1, 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.

**LDR Section 3.1.1(A) - Future Land Use Map:** The subject property is designated GC on the Future Land Use Map and is zoned AC. Per the Future Land Use Element, the AC zoning designation is consistent with the GC Future Land Use Map designation. Pursuant to LDR Section 4.4.10(B), full service automobile dealerships are a permitted use within the AC zoning district. Based upon the above, it is appropriate to make a positive finding with respect to consistency with the Future Land Use Map designation.

**LDR Section 3.1.1(B) - Concurrency:** As described in Appendix "A", a positive finding of concurrency can be made as it relates to water and sewer, streets and traffic, drainage, parks and recreation, schools, and solid waste.

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

**LDR Section 3.1.1(D) - Compliance with the Land Development Regulations:** As described under the Site Plan Analysis section of this report, a positive finding of compliance with the LDRs can be made.

**Comprehensive Plan Policies:** A review of the objectives and policies of the adopted Comprehensive Plan was conducted and the



following is noted:

**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 redevelopment of this parcel is consistent with the surrounding conditions of the US-1 corridor and is consistent with both the parcel's future land use and zoning designation. The redevelopment of this site will provide a permanent business willing to work with the community on combining and developing infill parcels.

**Future Land Use Element Policy A-2.4** - Automobile uses are a significant land use within the City and as such they have presented unique concerns. In order to properly control these uses and guide them to locations which best suit the community's future development, the following shall apply:

- 1) Auto related uses other than gasoline stations, wash establishments, and auto parts sales, shall not be permitted in the area encompassed by the CBD zone district.
- 2) Automobile dealerships shall not locate and/or expand in the following areas:
  - a. Within the CBD zone district;
  - b. West side of Southbound Federal Highway between George Bush Boulevard and S.E. 10th Street;
  - c. East side of Federal Highway, between George Bush Boulevard and the north property line of the Delray Swap Shop/Flea Market Property;
  - d. On properties fronting George Bush Boulevard, east of Federal Highway.
- 3) Rezoning to AC (Automotive Commercial) to accommodate auto dealerships shall not be permitted west of I-95.
- 4) Automobile dealerships shall be directed to the following areas:
  - a. North of George Bush Boulevard, between Federal and Dixie Highways;
  - b. East side of Federal Highway north of the north property line of the Delray Swap Shop/Flea Market;
  - c. South of Linton Boulevard, between Federal and Dixie Highways;
  - d. On the north side of Linton Boulevard, between I-95 and S.W. 10th Avenue, and along Wallace Drive.
- 5) Auto related uses which involve the servicing and repair of vehicles, other than as part of a full service dealership, shall be directed to industrial/commerce areas.

The subject parcel complies with the standards listed above. The development includes a full-service automobile dealership, located approximate to the desired area of concentration.

**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 about the subject property:

	<u>Zoning Designation:</u>	<u>Use:</u>
North	AC	Automobile Dealership
South	RM and PC	Multi-Family Residential and Planned Commercial
East	RM	Multi-Family Residential
West	AC	Automobile Dealership

As discussed in the analysis of Future Land Use Element Objective A-1, positive findings can be made with respect to the compatibility of the proposed development with the adjacent properties. The development proposal will be compatible and harmonious with the adjacent properties and a positive finding can be made with regard to LDR Section 2.4.5(F)(5).

#### **Review by Others:**

The subject property is not located in an area requiring review by an advisory Board or Agency.





Courtesy notices have been sent to the following Associations.

- Tropic Isle Civic Association
- Pelican Harbor
- Pelican Pointe
- Tropic Harbor
- Tropic Bay

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

#### Assessment and Conclusion:

As stated previously, the Class V Site Plan for this parcel was approved on October 28, 2018. The purpose of the Class III Modification is to accommodate for the increase in building square footage due to the increase in quantity of service bays from the approved plan and location of the utility hook-up. As approved previously, the development proposal is for the construction of one primary structure to be used as a full-service automobile dealership. This use is consistent with the Future Land Use designation and uses permitted within the AC zoning district. Several recommendations from the South Federal Highway Redevelopment Plan have been implemented to aid in the mitigation of incompatibilities with the adjacent residential uses. Additional building setback and buffering requirements when a commercial parcel abuts residential zoning even when separated by a street have been utilized. The AC zoning district also provides regulations for the operation of an automobile dealership that would reduce the potential impacts on residential uses.

#### Alternative Actions:

- Postpone with direction.
- Move approval of the Class III Site Plan, Landscape Plan, and Architectural Elevations, as amended, for **Delray Chevrolet** located at **2605 South Federal Highway**, 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 2.4.5(F)(1)(a), 4.6.16, 4.6.18(E), and Chapter 3 of the Land Development Regulations, subject to the attached conditions of approval.
- Move denial of the Class III Site Plan, Landscape Plan, and Architectural Elevations, as amended, for **Delray Chevrolet** located at **2605 South Federal Highway**, by adopting the findings of fact and law contained in the staff report, and finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in Sections 2.4.5(F)(1)(a), 4.6.16, 4.6.18(E) and Chapter 3 of the Land Development Regulations.

*Report prepared by: Christine Stivers, Senior Planner*

#### Attachments:

- Appendix A
- Appendix B
- Site Plan Package including Landscape Plan and Building Elevations

#### 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 and sewer service is available via service lateral connections to mains located within the Federal Highway right-of-way. The proposed building will have an insignificant impact on these levels of service.



The Comprehensive Plan states that adequate water and sewer treatment capacity exists to meet the adopted LOS at the City's build-out population based on the current FLUM. The proposal will have an insignificant impact on all public services. Thus, a positive finding with respect to this level of service standard can be made.

Streets and Traffic: The trip generation for the proposed development will result in 645 new daily trips including 34 peak AM trips and 53 peak PM trips. The proposed development meets the Traffic Performance Standards of Palm Beach County.

Parks and Recreation Facilities: No impact due to the non-residential use of property.

Solid Waste:

The proposed 33,060 sf automobile dealership will generate 152 tons of solid waste per year. The Solid Waste Authority has indicated that its facilities have sufficient capacity to accommodate all development proposals until 2047.

Drainage: Drainage is to be accommodated sheet flow to catch basins and exfiltration trenches and underground retention tanks. There should be no impact on drainage as it relates to this level of service 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.Redvelopment 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