



# 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: May 8, 2019

File No.: 2019-176

Application Type: Amendment to Master Sign

#### General Data:

Applicant: Taco Bell

Owner: Lot 5070, LLC.

Location: 5070 W. Atlantic Avenue, Delray Commons

PCN: 12424614240020000

Property Size: 1.18 Acres

FLUM: GC (General Commercial)

Zoning: PC (Planned Commercial)

#### Adjacent Zoning:

- o PC (North)
- o PC (West)
- o PC (South)
- o PC (East)

Existing Land Use: Vacant Bank

Proposed Land Use: 2,053 SF restaurant with drive-thru service



#### Item before the Board:

The action before the Board is an amendment to the existing Master Sign Program for Delray Commons.

#### Recommendation:

Move approval of the request for an amendment to the Master Sign Program for (2019-176) Taco Bell located at Delray Commons, 5070 W. Atlantic Avenue, based upon positive findings to LDR Section 4.6.7(F)(2)(b).

#### Background:

The subject parcel, also known as a portion of Tract 2 of the Delray Commons Shopping Center, P.B. 85, Page 183, was approved in August of 1999 to create separate, saleable tracts. Delray Commons is an 8.37-acre shopping center that consists of Tract 1 which is 7.19 acres and Tract 2 which is 1.18 acres. Property owners of both tracts were granted reciprocal cross ingress, and parking and drainage easements, as recorded on June 1, 1999 in ORB 11169, Page 1360. An additional reciprocal agreement, ORB 6436, Page 1360 was recorded for the adjacent service station, which is not included in the Master Development Plan of Delray Commons. Tract 1 consists of approximately 71,748 sf of retail and restaurant uses as well as associated parking and Tract 2 consists of a vacant 3,000 sf bank with drive-thru area and associated parking.

On September 17, 2018, the Planning and Zoning Board approved a Master Development Plan Modification (MDPM) for Delray Commons, as well as a waiver request for the minimum structure size required for the proposed restaurant. The Master Development Plan consists of the current Tract 1 site layout within the shopping center and the proposed Taco Bell site plan for Tract 2.

On January 9, 2019, Tract 2 was approved to construct a 2,053 sf, one-story restaurant with drive-thru service and associated parking.

Now before the board is a request to amend the existing Master Sign Program to accommodate signage for the Taco Bell.

#### Project Planner:

Jen Buce, Assistant Planner;

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#### Review Dates:

SPRAB Board:

May 8, 2019

#### Attachments:

1. Sign renderings

**Project Description:**

The applicant administratively applied for signage for the restaurant which included a wall sign on the north elevation, menu board and a monument sign. The wall sign is approximately 50 SF and is the trademark bell and reads "Taco Bell" in purple and white. The monument sign meets the required setback and is 14 ft overall height and the sign area is 159 SF. The menu board that was submitted did not meet the requirements pursuant to LDR 4.6.7(F)(3)(d) drive thru window signs, therefore requiring the applicant to apply for an amendment to the Master Sign Program.

**Master Sign Analysis****LDR SECTION 4.6.7(F)(2)(b) Master Sign Program**

A Master Sign Program is to be used when the development of a project is of such a scale or character that the normal application of the design and/or aesthetic standards of Subsections (D) and (E), respectfully, will not result in an effective sign program and signing more permissive than said standards is necessary. Approval of a Master Sign Program may include the automatic granting of waivers and or adjustments to the provisions of Subsections (D) and (E) provided the intent of the sign code is maintained and the character of the community and neighborhood is not diminished.

Delray Commons has an existing sign program which includes Burger King and what was formerly Riverside Bank. When any new development or tenant moves in and deviates from the existing program an amendment to the sign program is required. The City and applicant worked together to provide the minimal signage for the opening of the restaurant, which includes the approval of the murals which was approved at SPRAB on January 9, 2019.

The applicant submitted two identical menu boards with a 6.93 overall height and a sign area of 27.01 SF. The applicant states that this is the smallest prototype that Taco Bell provides for its restaurants. Pursuant to **LDR 4.6.7(F)(3)(d) drive thru windows**; signs used by businesses in conjunction with service at a drive-thru window may be permitted as long as the size of the menu board does not exceed seven feet in height, nor 24 square feet in size and a maximum of two signs per drive thru window. The applicant measured the sign area by individually calculating the panels which would make this a conforming sign at 23.49 SF. Pursuant to **LDR 4.6.7(E)(2)(a) Basis for measurement**; is the area in square feet or square inches allowed for each sign face. The sign face includes any background material, panel, trim, color, and direct or self-illumination used that differentiates the sign from the building, structure, backdrop surface, or object upon which, or against which, it is placed. When there is no such differentiation, the sign face shall be a rectangle just large enough to enclose all lettering, illustrations, ornamentation, symbols, or logos. A sign structure shall not be computed in sign area provided that no message, symbol, or any of the aforementioned are displayed on, or designed as part of, the sign structure. Therefore, the sign face is square off for a sign area of 27.01 SF. Thus, the sign does not meet the intent of the code.

The Master Sign Program allows for the automatic granting of waivers and or adjustments to the provisions of Subsection (D) and (E) provided the intent of the sign code is maintained and the character of the community and neighborhood is not diminished. Therefore, the menu boards can be approved through the Master Sign Program under LDR 4.6.7(E)(2)(a); basis of measurement. The applicant is aware that any additional signage that is proposed for Taco Bell will need to be brought back to SPRAB as an amendment to the Master Sign Program for Delray Commons.

Given the review provided above, staff recommends approval of the Master Sign Program for Taco Bell located at Delray Commons at 5070 W. Atlantic Avenue.

**Alternative Actions:**

- A. Continue with direction.
- B. Move approval of the Amendment to the Master Sign Program (2019-176) for Taco Bell located at 5070 W. Atlantic Avenue based upon positive findings to LDR Section 4.6.7(F)(2)(b).
- C. Move denial of the Amendment to the Master Sign Program (2019-176) for Taco Bell located at 5070 W. Atlantic Avenue based upon failure positive findings to LDR Section 4.6.7(F)(2)(b).

