



# DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING  
100 NW 1<sup>ST</sup> AVENUE, DELRAY BEACH, FLORIDA 33444  
(561) 243-7040

## HISTORIC PRESERVATION BOARD STAFF REPORT

### 44 E Atlantic Avenue

Meeting	File No.	Application Type
September 4, 2019	2019-192	Certificate of Appropriateness

### Request

The item before the Board is for consideration of a Certificate of Appropriateness (2019-192) request associated with the exterior modification of the commercial property located at **44 E Atlantic Avenue, Old School Square Historic District**, pursuant to LDR Section 2.4.6(H)(5) and 2.4.5(I)(5). Specifically, the request includes: an exterior color change, replacement of 4 existing ground floor windows and doors, replacement of fabric on all awnings, replacement of lighting fixtures, refinishing of awning frames and outdoor staircase, and replacement of a fabric entry awning with an aluminum, architectural canopy.

### General Data

**Agent:** Richard Jones Architecture  
**Owner:** Jetport II, LLC  
**Location:** 44 E Atlantic Avenue  
**PCN:** 12-43-46-16-01-069-0010  
**Property Size:** 0.1579 Acres  
**FLUM:** Other Mixed Use (OMU)  
**Zoning:** Old School Square Historic Arts District (OSSHAD) with Central Business District (CBD) Overlay  
**Adjacent Zoning:**

- OSSHAD (North) with CBD Overlay
- OSSHAD (West) with CBD Overlay
- OSSHAD (South) with CBD Overlay
- CBD (East)

**Existing Land Use:** Office/Retail/Restaurant  
**Proposed Land Use:** Office/Retail/Restaurant  
**Historic District:** Old School Square Historic District



### Background Information

The subject property is located at the southwest corner of E. Atlantic Avenue and SE 1<sup>st</sup> Avenue within the Locally and Nationally Designated Old School Square Historic District and is within the OSSHAD (Old School Square Historic Arts District) zoning district with CBD Overlay. The contributing building was constructed in 1924 as a two-story, Masonry Vernacular-style commercial building with stucco exterior, it was the home of the Delray Lodge of the Free and Accepted Masons. The building currently contains retail and restaurant uses on the first floor and offices on the second floor.

In 1997, the HPB approved plans to renovate the building, which included the removal of the brick veneer on the exterior, restoration of the building's stucco exterior, exposing and recapping the parapet, replacing the storefronts and second floor windows, adding stucco banding to the parapet, and adding stucco lintels and sills.

<p><b>Project Planner:</b>  <b>Project Planners:</b> Katherina Paliwoda, Planner &amp; Michelle Hoyland, Principal Planner  <a href="mailto:PaliwodaK@mydelraybeach.com">PaliwodaK@mydelraybeach.com</a>  <a href="mailto:HoylandM@mydelraybeach.com">HoylandM@mydelraybeach.com</a></p>	<p><b>Review Dates:</b>  HPB: July 3, 2019</p>	<p><b>Attachments:</b></p> <ol style="list-style-type: none"> <li>1. Architectural Plans</li> <li>2. Photos</li> </ol>
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Subsequently, the CRA recorded a historic façade easement in 1998 which ensured additional review and required written approval by the CRA for any proposed exterior changes. The property owner received a \$45,000 façade easement grant for the approved renovation plans. The purpose of the easement was “to assure the preservation and maintenance of the historic structure.”

In 2001, the HPB approved a COA request involving elevation changes that included a gate for the side entry along SE 1<sup>st</sup> Avenue, full length doors on Atlantic Avenue, and the striped bell canopy. This approval was not executed, and in 2002 the Board reviewed and approved a COA for additional elevation changes primarily relating to the installation of awnings, window replacement, and door replacement. A condition of approval was that the stucco exterior at the base of the windows (knee wall) on the north elevation be retained and that fixed windows be installed to mirror those which existed on the elevation.

Then, on August 2, 2009, HPB approved the following:

- North Elevation (Front-Facing East Atlantic Avenue)
  - Replacement of existing fixed-windows adjacent to entry with folding glass doors containing transoms at top, and panels at the base;
  - Replacement of existing fixed windows at west of elevation with folding glass windows containing transoms at top, with knee wall alterations to replicate panels on new doors;
  - Installation of cantilevered aluminum canopy above the aforementioned openings; and,
  - Replacement of existing entry door with single-pane French door.
- East Elevation (Side-Facing SE 1<sup>st</sup> Avenue)
  - Replacement of existing fixed-windows adjacent to entry with folding glass doors containing transoms at top, and panels at bottom;
  - Installation of cantilevered aluminum canopy above the aforementioned opening;
  - Installation of two (2) new fixed windows with one (1) vertical muntin dividing each window; and,
  - Painting of existing awnings above retail space located to the rear of the building (see colors below).
- New gooseneck lighting fixtures to be installed on north/front elevation and above arched entry on east/side elevation.
- Colors (All Elevations as applicable):

	<u>Existing</u>	<u>Proposed</u>
○ Windows:	White	White
○ Canopies:	N/A	Black
○ Awnings:	Green	Black (Paint Existing Awning)
○ Lighting:	N/A	Black

At its meeting of June 2, 2010, the HPB considered a request to install a purple and cream striped vinyl awning with black, aluminum framing in place of the approved awning noted above, as well as a color change from cream to “Roxbury Caramel.” The awning was proposed to span the entire width of the front window openings. The request was approved with the condition that the awning span the width of the individual window openings as two separate awnings.

In July 2010, an administrative approval was granted to replace the HPB approved folding glass windows in the west opening on the front elevation with similar folding glass doors as those approved for the east opening.

At its November 3, 2010 meeting the HPB considered a request to alter the original western window opening by reducing its width by five feet (5') in order to match the smaller opening to the east. The existing width of the opening would not permit the full opening of the folding doors given the slope of the sidewalk, necessitating the reduction of the opening.

In 2018, administrative approvals were granted for a new aluminum storefront system on the front façade (north) and interior alterations, which separated the existing restaurant into 2 separate restaurants. There was no increase in square footage associated with this modification.

### Project Description

The subject COA request involves the: replacement of 4 existing ground floor white, aluminum framed windows and doors; replacement of all awning fabric; refinishing of all awning frames and the rear exterior staircase; repainting of the exterior to white with sage trim; installation of a new architectural canopy over the side entrance on SE 1<sup>st</sup> Avenue; and, installation of new bronze gooseneck style light fixtures. The Masonic crest under the top, center parapet is proposed to be restored to the front facade. The COA and is now before the Board for consideration.

### Review and Analysis

Pursuant to Land Development Regulation (LDR) Section 2.4.6(H)(5), prior to approval, a finding must be made that any Certificate of Appropriateness which is to be approved is consistent with Historic Preservation purposes pursuant to Objective A-4 of the Land Use Element of the Comprehensive Plan and specifically with provisions of Section 4.5.1, the Delray Beach Historic Preservation Design Guidelines, and the Secretary of the Interior's Standards for Rehabilitation.

**Future Land Use Element Objective A-4: The redevelopment of land and buildings shall provide for the preservation of historic resources. The objective shall be met through continued adherence to the City's Historic Preservation Ordinance and the following policies:**

**Policy A-4.1: Prior to approval or recommending approval of any land use or development application for property located within a historic district or designated as a historic site, the Historic Preservation Board must make a finding that the requested action is consistent with the provisions of Section 4.5.1 of the Land Development Regulations relating to historic sites and districts and the "Delray Beach Historic Preservation Design Guidelines."**

Pursuant to Land Development Regulation (LDR) Section 2.4.5(I)(5), Architectural (appearance) elevations, the Site Plan Review and Appearance Board or the Historic Preservation Board, as appropriate, may approve, approve subject to conditions or deny architectural elevations or plans for a change in the exterior color of a building or structure, or for any exterior feature which requires a building permit.

#### **LDR SECTION 4.5.1**

#### **HISTORIC PRESERVATION: DESIGNATED DISTRICTS, SITES, AND BUILDINGS**

Pursuant to LDR Section 4.5.1(E), Development Standards, all new development or exterior improvements on individually designated historic properties and/or properties located within historic districts shall, comply with the goals, objectives, and policies of the Comprehensive Plan, the Delray Beach Historic Preservation Design Guidelines, the Secretary of the Interior's Standards for Rehabilitation, and the Development Standards of this Section.

#### **Pursuant to LDR Section 4.5.1(E)(2)(c)(4) – Minor Development.**

The subject application is considered "Minor Development" as it involves "alteration of less than 25 percent of the existing floor area of the building and all appurtenances."

**Pursuant to LDR Section 4.5.1(E)(4) – Alterations: in considering proposals for alterations to the exterior of historic buildings and structures and in applying development and preservation standards, the documented, original design of the building may be considered, among other factors.**

The existing structure, and its remaining original form, has been considered with respect to the proposed addition and site improvements.

Pursuant to LDR Section 4.5.1(E)(5) - Standards and Guidelines: a historic site, building, structure, improvement, or appurtenance within a historic district shall only be altered, restored, preserved, repaired, relocated, demolished, or otherwise changed in accordance with the Secretary of the Interior's Standards for Rehabilitation, and the Delray Beach Historic Preservation Design Guidelines, as amended from time to time.

**Standard 1**

A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

**Standard 2**

The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

**Standard 3**

Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

**Standard 4**

Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

**Standard 5**

Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

**Standard 6**

Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

**Standard 7**

Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

**Standard 8**

Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

**Standard 9**

New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

**Standard 10**

New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Standards 2, 5, & 9 are applicable to the proposed modification of the structure. Overall, the proposal is to update the exterior of the structure and to restore original architectural elements such as, the replacement of the fabric entry awning over the side entrance along SE 1<sup>st</sup> Avenue with an aluminum, architectural canopy similar to the original, as well as replacement of the Masonic crest on the front elevation.

The exterior improvements represents an ongoing maintenance of the building, which assists in maintaining the historic character and integrity of the building and historic district. The improvements will add appropriate visual and historic interest to the building and will ensure the structure is compatible with the overall streetscape. Based on the above, positive findings can be made with respect to compliance with the Standards.

**Pursuant to LDR Section 4.5.1(E)(8) - Visual Compatibility Standards: new construction and all improvements to both contributing and noncontributing buildings, structures and appurtenances thereto within a designated historic district or on an individually designated property shall be visually compatible. In addition to the Zoning District Regulations, the Historic Preservation Board shall apply the visual compatibility standards provided for in this Section with regard to height, width, mass, scale, façade, openings, rhythm, material, color, texture, roof shape, direction, and other criteria set forth elsewhere in Section 4.5.1. Visual compatibility for minor and major development as referenced in Section 4.5.1(E)(2) shall be determined by utilizing criteria contained in (a)-(m) below. Visual compatibility for all development on individually designated properties outside the district shall be determined by comparison to other structures within the site.**

The following criteria apply:

- a) **Height:** The height of proposed buildings or modifications shall be visually compatible in comparison or relation to the height of existing structures and buildings in a historic district for all major and minor development. For major development, visual compatibility with respect to the height of residential structures, as defined by 4.5.1(E)(2)(a), shall also be determined through application of the Building Height Plane.
- b) **Front Facade Proportion:** The front facade of each building or structure shall be visually compatible with and be in direct relationship to the width of the building and to the height of the front elevation of other existing structures and buildings within the subject historic district.
- c) **Proportion of Openings (Windows and Doors):** The openings of any building within a historic district shall be visually compatible with the openings exemplified by prevailing historic architectural styles of similar buildings within the district. The relationship of the width of windows and doors to the height of windows and doors among buildings shall be visually compatible within the subject historic district.
- d) **Rhythm of Solids to Voids:** The relationship of solids to voids of a building or structure shall be visually compatible with existing historic buildings or structures within the subject historic district for all development, with particular attention paid to the front facades.
- e) **Rhythm of Buildings on Streets:** The relationship of buildings to open space between them and adjoining buildings shall be visually compatible with the relationship between existing historic buildings or structures within the subject historic district.
- f) **Rhythm of Entrance and/or Porch Projections:** The relationship of entrances and porch projections to the sidewalks of a building shall be visually compatible with existing architectural styles of entrances and porch projections on existing historic buildings and structures within the subject historic district for all development.
- g) **Relationship of Materials, Texture, and Color:** The relationship of materials, texture, and color of the facade of a building and/or hardscaping shall be visually compatible with the predominant materials used in the historic buildings and structures within the subject historic district.
- h) **Roof Shapes:** The roof shape, including type and slope, of a building or structure shall be visually compatible with the roof shape of existing historic buildings or structures within the subject historic district. The roof shape shall be consistent with the architectural style of the building.
- i) **Walls of Continuity:** Walls, fences, evergreen landscape masses, or building facades, shall form cohesive walls of enclosure along a street to ensure visual compatibility with historic buildings or structures within the subject historic district and the structure to which it is visually related.
- j) **Scale of a Building:** The size of a building and the building mass in relation to open spaces, windows, door openings, balconies, porches, and lot size shall be visually compatible with the building size and mass of historic buildings and structures within a historic district for all

development. To determine whether the scale of a building is appropriate, the following shall apply for major development only:

- a. For buildings wider than sixty percent (60%) of the lot width, a portion of the front façade must be setback a minimum of seven (7) additional feet from the front setback line:
  - b. For buildings deeper than fifty percent (50%) of the lot depth, a portion of each side façade, which is greater than one story high, must be setback a minimum of five (5) additional feet from the side setback line:
- k) **Directional Expression of Front Elevation:** A building shall be visually compatible with the buildings, structures, and sites within a historic district for all development with regard to its directional character, whether vertical or horizontal.
- l) **Architectural Style:** All major and minor development shall consist of only one (1) architectural style per structure or property and not introduce elements definitive of another style.
- m) **Additions to individually designated properties and contributing structures in all historic districts:** Visual compatibility shall be accomplished as follows:
1. Additions shall be located to the rear or least public side of a building and be as inconspicuous as possible.
  2. Additions or accessory structures shall not be located in front of the established front wall plane of a historic building.
  3. Characteristic features of the original building shall not be destroyed or obscured.
  4. Additions shall be designed and constructed so that the basic form and character of the historic building will remain intact if the addition is ever removed.
  5. Additions shall not introduce a new architectural style, mimic too closely the style of the existing building nor replicate the original design but shall be coherent in design with the existing building.
  6. Additions shall be secondary and subordinate to the main mass of the historic building and shall not overwhelm the original building.

In relation to Visual Compatibility Standard # 7 - "Relationship of Materials, Texture, and Color of building façade shall be compatible with predominant materials used in historic buildings and structures within the district", the proposed color will be compatible with neighboring structures within the streetscape.

The structure was built in the 1920's. The Delray Post Office occupied the ground level and the Masonic Temple was on the second floor; hence, the structure was a known landmark in the downtown for many years. The building occupies a prominent Atlantic Avenue corner with its central arcade plan and its Main Street Vernacular architectural style. The replacement of 4 existing ground floor white, aluminum framed windows and doors will be replaced with the same. The structure will be repainted white with sage trim. The existing awnings will have new "Chocolate" brown fabric and the frames will be repainted bronze. New bronze finish light fixtures are proposed. The existing eyebrow shaped awning over the side entrance on the east side of the building will be replaced with an aluminum, architectural awning to replicate an original design element. The proposal also includes restoration of the flagpole on the roof. The exterior alterations and improvements can be found to be compatible with adjacent buildings in the OSSHAD District. The restoration of the entrance canopy on the east side of the building along with the Masonic Crest on the north façade will aid in freshening the exterior elevations while maintaining the historic character of this building.

The proposed modifications to the structure do not change the defining characteristics of the historic building nor its environment. The proposal can be found to be consistent with the review criteria above; thus, positive findings can be made.

#### **Review By Others**

The development proposal is in a geographic area requiring review by the **Community Redevelopment Agency (CRA)** and the **Downtown Development Authority (DDA)**.

**Community Redevelopment Agency (CRA)** – The CRA will review the request with respect to the existing façade easement. Their feedback, if any, will be reported to the board at the meeting.

**Downtown Development Authority (DDA)** – The DDA will review the request at its next board meeting which is scheduled for July 8, 2019.

**Alternative Actions**

- A. Move to continue with direction
- B. Approve Certificate of Appropriateness (2019-192) request for the property located at **44 E Atlantic Avenue, Old School Square Historic District** 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 the criteria set forth in LDR Sections 2.4.6(H)(5) and 2.4.5(I)(5) of the Land Development Regulations.
- C. Approve Certificate of Appropriateness (2019-192) request for the property located at **44 E Atlantic Avenue, Old School Square Historic District** 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 the criteria set forth in LDR Sections 2.4.6(H)(5) and 2.4.5(I)(5) of the Land Development Regulations, subject to the following condition(s):
- D. Deny Certificate of Appropriateness (2019-192) request for the property located at **44 E Atlantic Avenue, Old School Square Historic District**, by finding that the request is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in LDR Sections 2.4.6(H)(5) and 2.4.5(I)(5) of the Land Development Regulations.

**Public and Courtesy Notices**

Courtesy Notices are not applicable to this request

Courtesy Notices were provided to the following, at least 5 working days prior to the meeting:

Public Notices are not required for this request.

Public Notice was posted at the property on (insert date), 7 calendar days prior to the meeting.

Public Notice was mailed to property owners within a 500' radius on (6/6/2019), 10 days prior to the meeting.

Public Notice was mailed to the adjacent property owners on (insert date), 20 days prior to the meeting.

Public Notice was published in the (insert publication) on (insert date), 10 calendar days prior to the meeting.

Public Notice was posted to the City's website on (6/6/19), 10 calendar days prior to the meeting.

Public Notice was posted in the main lobby at City Hall on (insert date), 10 working days prior to the meeting.

Agenda was posted on (6/25/19), 5 working days prior to meeting.