



SITE PLAN REVIEW AND APPEARANCE BOARD STAFF REPORT

DEVELOPMENT SERVICES DEPARTMENT

100 NW 1ST AVENUE, DELRAY BEACH, FLORIDA 33444

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

SITE PLAN REVIEW AND APPEARANCE BOARD

Meeting: August 14, 2019

File No.: 2019-121-
SPM-SPR-CL3

Application Type: Class III Site Plan Modification

General Data:

Applicant/Owner: Delray Place, LLC

Agent: Dunay, Miskel, Backman, & Blattner, LLP

Location: 1911 South Federal Highway

PCN: 12-43-46-28-06-001-0010

Property Size: 1.78 Acres

FLUM: GC (General Commercial)

Zoning: PC (Planned Commercial)

Adjacent Zoning:

- SAD (Special Activities District)(North)
- AC (Automotive Commercial) (South)
- RM (East)
- AC (West)

Existing Land Use: Commercial (Delray Place South Shopping Center)

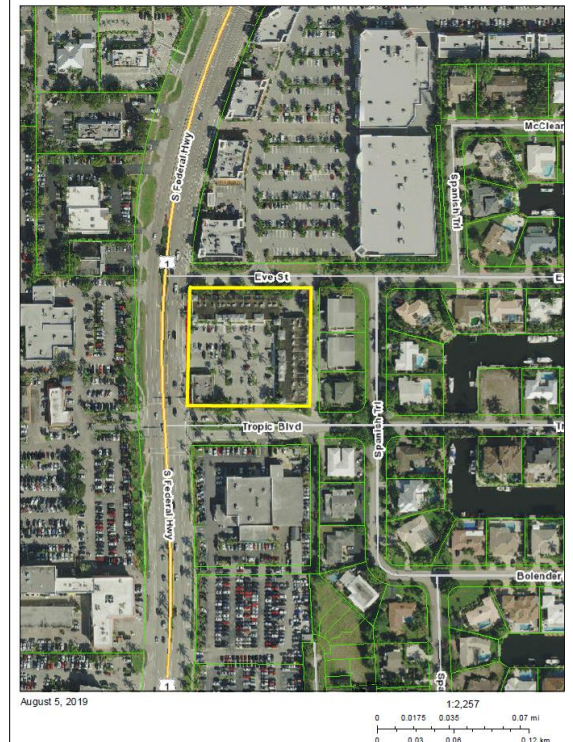
Proposed Land Use: Commercial (Delray Place South Shopping Center)

Item before the Board:

Consideration of a Class III Site Plan for Delray Place South, pursuant to Land Development Regulations (LDR) Section 2.4.5(G). This application includes:

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

Location Map



Alternative Actions:

- A. Move **postponement** of the Class III Site Plan Modification, Landscape Plan, Architectural Elevations and Special Action Parking Reduction Request for Delray Place South, by electing to continue with direction.
- B. Move **approval** of the Class III Site Plan Modification, Landscape Plan, Architectural Elevations and Special Action Parking Reduction Request for Delray Place South, 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 the criteria set forth in Sections 2.4.5(G), 4.6.9(F)(1), 4.6.16, 4.6.18 and Chapter 3 of the Land Development Regulations.
- C. Move **denial** of the Class III Site Plan Modification, Landscape Plan, Architectural Elevations and Special Action Parking Reduction Request for Delray Place South, by finding that the request is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in Sections 2.4.5(G), 4.6.9(F)(1), 4.6.16, 4.6.18 and Chapter 3 of the Land Development Regulations.

Notes:

1. Revise the plans to include raised speed tables along the north/south drive aisle prior to site plan certification.

Project Planner:

Scott Pape, Principal Planner;
pape@mydelraybeach.com,
561-243-7321

Review Dates:

SPRAB Board:
August 14, 2019

Attachments:

1. Site Plans
2. Architectural Elevations
3. Landscape Plans



Project Assessment

The item before the Board is for consideration of a Class III Site Plan Modification request for Delray Place South which includes a Site Plan, Landscape Plan, Architectural Elevations and Special Action Parking Reduction Request. The proposed redevelopment of the existing Delray Place South (fka Tropic Square) is consistent with the South Federal Highway Redevelopment Plan which calls for shopping centers for PC-zoned properties along US1, as well as, architectural and aesthetic improvements for the South Federal Highway Corridor.

Background:

The subject property is located on the east side of South Federal Highway, between Eve Street and Tropic Boulevard. The site measures 1.78 Acres (77,430 sq. ft.) and is zoned Planned Commercial (PC) with a General Commercial (GC) Future Land Use Map (FLUM) designation. The shopping plaza was built in 1977 as Gateway Shopping Center.

On August 16, 2000, the Site Plan Review and Appearance Board (SPRAB) approved minor site plan modifications and architectural elevation changes for the subject property. At its meeting of May 1, 2001, the SPRAB approved another site plan modification which included construction of two towers with a cupola along the front façades of the two existing buildings, installation of new canvas awnings over each door along the rear of the two buildings, and landscaping upgrades throughout the property.

At its meeting of October 26, 2016, the SPRAB considered a Class III Site Plan Modification for the demolition of a portion of the existing commercial center and provision of a driveway to Eve Street. The SPRAB approved the following items associated with the application:

1. Special Landscape Area waiver
2. Landscape Island Shade Tree waiver
3. Landscape Plan
4. Architectural Elevations

At this meeting, the SPRAB denied the following items associated with the Class III Site Plan Modification:

1. Special Action Parking Reduction
2. Site Plan Modification

Without the approval of the site plan modification and Special Action Parking Reduction, the application was deemed disapproved.

Now before the Board for consideration is a Class III Site Plan Modification, Landscape Plan and Architectural Elevations associated with the redevelopment of a shopping center known as Delray Place South (fka Tropic Square), including but not limited to partial demolition of the site, construction of a new building addition, reconfiguration of the existing parking lot, landscaping upgrades and provision of additional parking and outdoor dining areas.

Project Description:

The development proposal consists of the following:

- Demolition of 2,904 square feet of building area.
- Construction of a 2,860 square foot building addition.
- Addition of 1,651 square feet of outdoor dining area.
- Elimination of 12 parking spaces due to the building addition and demolition.
- Construction of 14 new parking spaces on-site and on-street within Eve Street.
- Façade improvements to the buildings.
- Associated landscape improvements.

**Site Plan Analysis:****Compliance with The Land Development Regulations (LDR):**

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 – Nonresidential Zoning Districts:

Please note the Land Development Regulations (LDR) Section 4.3.4 – as it pertains to the PC (Planned Commercial) zoning districts:

		Standard	Provided
Open Space		25%	19%*
Minimum Setback	North	10' (Side Street)	15' 1"
	South	10' (Side Street)	6'*
	East	10' (Rear)	10'
	West	10' (Front)	7' 2"*
Maximum Building Height		48'	24' 6"
Minimum Lot Frontage		50'	835.8'
Minimum Lot Width		100'	281.81'
Minimum Lot Depth		50'	271.78'
Minimum Lot Area		0.23 acres	1.77 acres

*Existing non-conformity.

LDR Section 4.6 - Supplemental District Regulations:**Lighting:**

The applicant has submitted a photometric plan that demonstrates compliance with LDR Section 4.6.8.

Dumpsters:

Per 4.6.16(H)(3)(n) all dumpster and refuse areas shall be screened. The dumpster shall be screened on three (3) sides and shall have vision obscuring gates on the fourth side. The proposed dumpster enclosure area is proposed to be screened by a wall on three sides and vision obscuring door on the front. The existing dumpster will be removed and replaced with a trash compactor and roll out bins. The provisions for trash collection satisfy the requirements of the LDRs.

SPECIAL ACTION PARKING REDUCTION**LDR ARTICLE 4.6 - SUPPLEMENTAL DISTRICT REGULATIONS****LDR Section 4.6.9(C)(3) Requirements For Commercial Uses:**

(e) **Shopping Centers**: Spaces required based upon size of center per gross leasable floor area, irrespective of uses:

According to LDR Section 4.6.9(C)(3)(e), shopping centers are required 4 spaces per 1,000 sq. ft. of gross leasable floor area, irrespective of uses, for centers with 25,000 sq. ft. up to 400,000 sq. ft. The existing Tropic Square has a total of 22,089 sq. ft. of leasable floor area. Thus, it does not meet the minimum square footage for a shopping center for purposes of the reduced parking rate. In such case, parking is typically determined by the allocation of uses. As part of the 2016 Class III Site Plan



Modification, the applicant provided a use list with square footages that indicated 209 parking spaces are required based on the individual uses.

With the current site plan modification request, the applicant has submitted the attached vested parking rights statement. The position of the applicant is that the shopping center has a vested parking ratio of four parking spaces per 1,000 square feet of retail space. Based on the proposed modification, the required parking for the 22,045 square foot center would be 88 parking spaces ($22,045/1,000 \times 4 = 88$ spaces). The applicant indicates that additional parking spaces are not required for the new 1,651 square feet of outdoor dining area. However, per LDR Section 4.6.9(B)(1)(c), parking is required for the addition or enlargement of a use. Therefore, the 1,651 square feet of outdoor dining area would require an additional 7 parking spaces at 4:1,000 for a total of 95 parking spaces. (It is noted that the outdoor dining area would require an additional 20 parking spaces if calculated at the standard restaurant parking calculation noted above for a total of 229 required parking spaces).

Based on the above, the shopping center is 5 spaces deficient per the applicant's methodology and 139 spaces deficient based on the City's standard parking calculation.

LDR Section 4.6.9(F)(1) - Reduction Allowed:

Pursuant to LDR Section 4.6.9(F)(1), special provisions are allowed for reduced parking, when **upon receipt and acceptance of special documentation** it is conclusively demonstrated that a reduced number of parking spaces will accommodate a specific use, the body which acts on the attendant site plan may reduce the parking requirements accordingly.

The applicant has submitted a Parking Utilization Study from a traffic engineer as the special documentation to support the reduced parking request for the plaza. The study concludes that an appropriate parking ratio of 3.3 parking spaces per 1,000 square feet of use area is appropriate for this plaza. Based on this ratio, 78 parking spaces are necessary for this plaza and 90 spaces are provided.

Landscape Analysis

A landscape plan has been submitted and evaluated by the City's Senior Landscape Planner. The changes to the approved landscape plan occur on the north and south sides of the building due to the reconfiguration of the landscape islands. The modification is minor and does not significantly impact the aesthetics of the development and continues to comply with the landscape requirements.

Architectural Elevations and Aesthetics

Pursuant to **LDR Section 4.6.18(E), Criteria for Board Action**, the following criteria shall be considered, by the SPRAB, 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 development proposal includes building elevation changes to the plaza. The changes include removal of the existing tower features and decorative parapets. These will be replaced with new tower features and decorative parapets. The columns will be finished with Coronado stone veneer. The storefront glass will be replaced with new impact resistant windows. The elevations also include new decorative wall sconces. The eclectic architectural approach is similar to the Delray Place shopping center at the southeast corner of Federal Highway and Linton Boulevard. The color scheme includes eight different shades that are primarily earth tone with the exception of a blue. The proposed elevation changes will provide an updated improved image to the plaza. Based on the above, a positive finding with respect to LDR Section 4.6.18(E) is made.



INFRASTRUCTURE IMPROVEMENT ANALYSIS

Eve Street Access:

An extensive review has been performed for the Delray Place North and South shopping centers addressing the potential impacts of modifying the Delray Place South configuration to allow for cross access between sites. The positive and negative ramifications of the proposed cross access connection are summarized below:

Advantage of Cross Access Connection:

- Generally, cross access is encouraged and considered “good practice” by planners and engineers.
- Relieves traffic; particularly, the westbound left turn movement on Linton Boulevard at Federal Highway.
- Reduces traffic at the two Linton Boulevard driveways at Delray Place North which has limited driveway reservoir for stacking and circulation.

Disadvantage of Cross Access Connection:

- Increase traffic and vehicular delay for Tropic Boulevard. The overall intersection operations will be impacted as well. However, the increase in traffic can be mitigated to acceptable Levels of Service through signal timing improvements.
- As opposed to the previous proposal, the current proposal does not include dual left turn lanes westbound along Tropic Boulevard. These dual left turn lanes would have increased vehicle queueing on Tropic Boulevard and improve turning operations onto Federal Highway. The elimination of the dual turn lanes will increase stacking and negatively impact this intersection.

SOUTH FEDERAL HIGHWAY REDEVELOPMENT PLAN

The South Federal Highway Redevelopment Plan creates a framework for the future redevelopment of US1 along the south corridor in Delray Beach. The Redevelopment 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 purpose of this plan is to guide and promote the future redevelopment of the area. The Plan, which was developed by the City of Delray Beach Development Services Department, was adopted by the City Commission on September 20, 2012. The adopted Plan supports the following applicable initiatives relative to the proposed development:

Proposed Delray Place South:

- Reduces the special landscape setback along South Federal Highway to create an urban edge with a more pedestrian-friendly environment
- Provides architectural elevation and façade improvements which have variations in rooflines, building materials and a clear indication of entryways
- Figure 2.5 identifies the existing Tropic Square as one of the preferred General Commercial uses (i.e. shopping centers) on the east side of South Federal Highway
- Planned Commercial (PC) zoning uses are preferred to be in high visibility areas and attractively developed
- Figure 3-1, indicates that due to its close proximity to Interstate 95 and the Linton Boulevard interchange, the redevelopment area is a prime location for destination shopping for goods and services

As such, the proposed Delray Place South is consistent with the South Federal Highway Redevelopment Plan and associated aspects of the Comprehensive Plan.



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 subject property has a Future Land Use Map designation of General Commercial (GC) and is zoned Planned Commercial (PC). The PC zoning district is consistent with the GC Future Land Use Map (FLUM) designation. Based upon the above, a positive finding can be made with respect to consistency with the Future Land Use Map.

Section 3.1.1(B) - Concurrency:

As described in Appendix "A", a positive finding of concurrency can be made as it relates to water, sewer, drainage, parks and recreation, solid waste, and traffic.

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 development standards for site plan actions, upon Board approval of the requested waiver and associated conditions of approval.

Section 3.1.1(D) - Compliance With the Land Development Regulations:

As described under the "Site Plan Analysis" of this report, a positive finding of compliance with the LDRs can be made, when the outstanding note is addressed.

Section 2.4.5(F)(5) - Required Findings:

Pursuant to LDR Section 2.4.5(F)(5), 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:

	<i>Adjacent Zoning</i>	<i>Adjacent Land Use</i>
<i>North</i>	Special Activities District (SAD)	Delray Place North
<i>East</i>	Multi-Family Residential (RM)	Multi-Family Dwellings
<i>South</i>	Automotive Commercial (AC)	Grieco Mazda Auto Dealership
<i>West</i>	Automotive Commercial (AC)	Delray Lincoln Mercury Auto Dealership

The proposed Delray Place South shopping center is consistent with the PC Zoning district uses which allow all retail uses permitted with the General Commercial (GC) zoning district. To the north is Delray Place North shopping plaza, which is zoned (SAD). The architectural elevations of proposed Delray Place South have been designed to be compatible with this adjacent property. To the south is Grieco Mazda Automotive Dealership which has existed for decades with no incompatibility issues. To the west, across South Federal Highway, is the Delray Lincoln Mercury Auto Dealership, which has also existed for years with no incompatibility issues. To the east, across the existing alley are multi-family residential buildings zoned RM (Multi-Family Residential). Since the use of the existing Tropic Square has existed over 30 years, the shopping center use is not incompatible.



However, it should be noted that residents have concerns about improvements to allow through access from Tropic Boulevard to Eve Street. To assist in mitigating these concerns, staff is requesting that the applicant provide traffic calming devices (i.e. speed bumps) along the new two-way interior drive aisle to discourage cut-through and also reduce speeds interior to the plaza for the safety of their patrons and this is added as a note. Whereas the existing Tropic Square shopping plaza has coexisted adjacent to the existing uses, no adverse effect is anticipated. The subject site contains an existing shopping plaza, thus, the proposed redevelopment of the shopping plaza will be a continuation of the current use of the site. With the provision of traffic calming devices along the interior drive aisle connector, potential adverse impacts can be mitigated. As such, positive findings can be made with regard to LDR Section 2.4.5(F)(5) that the site plan will be compatible and harmonious with adjacent and nearby properties, subject to raised tables for traffic calming devices to discourage cut-through from Tropic Boulevard to Eve Street and maintain safe vehicle speeds.

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 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 property is proposed to be developed consistent with the PC zoning designation. The property is included in the South Federal Highway Redevelopment Plan. Redevelopment of the existing Tropic Square as "Delray Place South" meets the original vision for the area for revitalization of the US1 corridor with the provision of shopping centers with aesthetic appeal.

Transportation Element Policy A-1.3: The City endorses the continued operations of the Palm Tran Transit System and its operations in Delray Beach, and through policies of this Element related to the TCEA, will coordinate with Palm Tran to improve the system.

Studies have shown that the provision of bus shelters to protect riders from the elements leads to increased utilization and mitigates negative impacts to adjacent properties. The location of an existing bus shelter is not graphically shown along the South Federal Highway property frontage. The applicant has submitted a letter from Palm Tran that indicates a bus shelter is not necessary at the subject property. However, a bus stop is provided along Federal Highway.

Transportation Element Objective A-6: The City's Land Development Regulations shall continue to provide standards which insure that new development and redevelopment mitigate adverse situations and/or provide for functionally safe traffic movements.

Transportation Element Policy A-6.1: The Land Development Regulations shall maintain consistent standards for, but not limited to, the following:

☐ Location and design of driveway access and on-site circulation;

- The development proposes a new curb cut along Eve Street and a new 24 foot wide two-way interior drive aisle connector between the two roads. It should be noted that when compared to the existing survey, the proposed improvements do not appear to be necessary for the purpose of improving on-site circulation. There are already two ingress and egress points along South Federal Highway and one ingress and egress point along Tropic Boulevard. With three existing access points for vehicular traffic, a fourth one along Eve Street is not necessary, but rather voluntary. It should also be noted that the intent is to connect the proposed "Delray Place South" to the existing "Delray Place North" shopping center north of Eve Street at the southeast corner of US1 and Linton Boulevard.

☐ Width and location of curb cuts;

- It is noted that the distance between the curb cuts is consistent with the LDR requirement that curb cuts within the same parcel boundaries must be placed with a minimum at twenty-five foot separation distance.



- ☐ Radii of curves and criteria for locations where driveways or private streets may intersect on curves;
 - The radii of the curves have been provided for entering the site from Eve Street, as well as, turning movements onto Tropic Boulevard from US1 traveling into the shopping center. These movements have been deemed satisfactory by the City Engineering Department, Fire Department and the Palm Beach County Traffic Division.

Review by Others:

The development proposal is not located within a geographical area requiring review by the PGMS (Pineapple Grove Main Street), WARC (West Atlantic Development Coalition), HPB (Historic Preservation Board), CRA (Community Redevelopment Agency) or the DDA (Downtown Development Authority).

Courtesy Notices:

Courtesy notices have been provided to the following homeowner's associations that have requested notice of developments in their areas:

- Domaine Delray
- Linton Woods
- Tropic Isle
- Harbour's Edge
- Pelican Pointe
- Tropic Harbor
- Tropic Bay
- Pelican Harbor
- Harbourside
- Banyan Tree
- Ronald Kolins

Public Notices:

No public notice is required for Class III Site Plan Modification applications. Letters of objection, if any, will be presented at the SPRAB meeting.

**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 services are adequately provided to the site and will remain as the proposed redeveloped results in reduction in floor area.

Streets and Traffic: The traffic analysis report for the proposed use indicates a net decrease of four trips per day. The proposal has been reviewed by Palm Beach County Traffic Engineering and determined that it meets the Traffic Performance Standards of Palm Beach County. Therefore, a positive finding can be made.

Parks and Recreation Facilities: It is noted that the park impact fee is not applicable to the subject request as it does not include a residential component.

Solid Waste: The change in use will not significantly change the solid waste generation. The Solid Waste Authority has indicated that its facilities have sufficient capacity to handle all development proposals till the year 2047.

Drainage: Drainage will not be affected by the proposed modification.

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

- A. Building design, landscaping and lighting (glare) shall be such that they do not create unwarranted distractions or blockage of visibility as it pertains to traffic circulation.
- ☐ Not applicable
☒ Meets intent of standard
☐ Does not meet intent
- B. Separation of different forms of transportation shall be encouraged. This includes pedestrians, bicyclists and vehicles in a manner consistent with policies found under Objectives D-1 and D-2 of the Transportation Element.
- ☐ Not applicable
☒ Meets intent of standard
☐ Does not meet intent
- C. Open space enhancements as described in Policies found under Objective B-1 of the Open Space and Recreation Element are appropriately addressed.
- ☒ Not applicable
☐ Meets intent of standard
☐ Does not meet intent
- D. The City shall evaluate the effect that any street widening or traffic circulation modification may have upon an existing neighborhood. If it is determined that the widening or modification will be detrimental and result in a degradation of the neighborhood, the project shall not be permitted.
- ☒ Not applicable
☐ Meets intent of standard
☐ Does not meet intent
- E. Development of vacant land which is zoned for residential purposes shall be planned in a manner which is consistent with adjacent development regardless of zoning designations.
- ☒ Not applicable
☐ Meets intent of standard



☐ Does not meet intent

- F. Property shall be developed or redeveloped in a manner so that the future use and intensity are appropriate in terms of soil, topographic, and other applicable physical considerations; complementary to adjacent land uses; and fulfills remaining land use needs.

☐ Not applicable

☒ Meets intent of standard

☐ Does not meet intent

- G. Redevelopment and the development of new land shall result in the provision of a variety of housing types which shall continue to accommodate the diverse makeup of the City's demographic profile and meet the housing needs identified in the Housing Element. This shall be accomplished through the implementation of policies under Objective B-2 of the Housing Element.

☒ Not applicable

☐ Meets intent of standard

☐ Does not meet intent

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

☐ Not applicable

☒ Meets intent of standard

☐ Does not meet intent

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

☐ Not applicable

☒ Meets intent of standard

☐ Does not meet intent

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

☒ Not applicable

☐ Meets intent of standard

☐ Does not meet intent