



*Development Services Department*

**BOARD ACTION REPORT – APPEALABLE ITEM**

**Project Name:** Taco Bell  
**Project Location:** 5070 W. Atlantic Avenue  
**Request:** Amendment Master Sign Program  
**PCN:** 12424614240020000  
**Board:** Site Plan Review and Appearance Board  
**Meeting Date:** June 26, 2019

**Board Action:**

Approved (6-0 Annie Adkins-Roof absent) as presented.

**Project Description:**

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.

Now before the board is a request to amend the existing Master Sign Program to accommodate signage on the east and west elevations for the Taco Bell.

The menu boards were approved on May 8, 2019 due to time constraints and the applicant has returned with the last of the signage to complete the package. The signs are wall signs located on the east and west elevations. The applicant is proposing a wall sign on the east elevation which faces the drive thru and its neighbor Burger King. The sign is 6'4 1/2" x 4'3" for a total of 27.09 SF. The sign is LED face lit and halo lit along with channel letters in the Taco Bell purple trademark color. The west elevation will face an interior parking lot and is 65" x 101.375" for a total of 45.4 SF. The bell is non illuminated while the wording is LED up lighting channel letters. The sign on the west elevation is over the main entrance.

**Board Comments:**

N/A

**Public Comments:**

N/A

**Associated Actions:**

N/A

**Next Action:** The SPRAB action is final unless appealed by the City Commission.



# 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: June 26, 2019

File No.: 2019-201

Application Type: Amendment to Master Sign

### General Data:

Applicant: Taco Bell

Owner: Topvalco, Inc

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 at the Taco Bell restaurant.

### Optional Board Motions for Action Items:

- A. Move to continue with direction.
- B. Move approval of the Amendment to the Master Sign Program (2019-201) 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 (2019-201) for Taco Bell located at 5070 W. Atlantic Avenue based upon failure positive findings to LDR Section 4.6.7(F)(2)(b).

### Assessment and Summary:

The property consists of 1.18 acres and is currently zoned PC (Planned Commercial) in the Four Corners Over Lay District. Most recently the Master Sign Program was amended to accommodate signage for a new restaurant, Taco Bell. The signage consisted of a menu board that did not meet administrative approval requirements.

When a Master Sign Program exist within a shopping plaza any new establishment to the existing sign program requires an amendment to the sign program or if a program does not exist one would need to be written to accommodate the plaza. In this case, one existed, therefore requiring an amendment to the program.

Taco Bell was under constraints to open the restaurant. Staff worked with the applicant to provide minimal signage for the restaurant administratively and began the process of the amendment to the Master Sign Program.

Project Planner:  
Jen Buce, Assistant Planner;  
[buce@mydelraybeach.com](mailto:buce@mydelraybeach.com),  
561-243-7138

Review Dates:  
SPRAB Board:  
June 26, 2019

Attachments:  
1. Sign renderings



Now before the board is an amendment to two wall signs that do not face a dedicated street frontage located on the east and west elevations.

**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.

On May 8, 2019, SPRAB approved an amendment to the Master Sign Program for the menu boards to be over the allowed square footage.

Now before the board is a request to amend the existing Master Sign Program to accommodate signage on the east and west elevations for the Taco Bell.

**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, which was approved on May 8, 2019. Now before the board is signage on the east and west elevations. These elevations do not face a dedicated street frontage.

**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.**

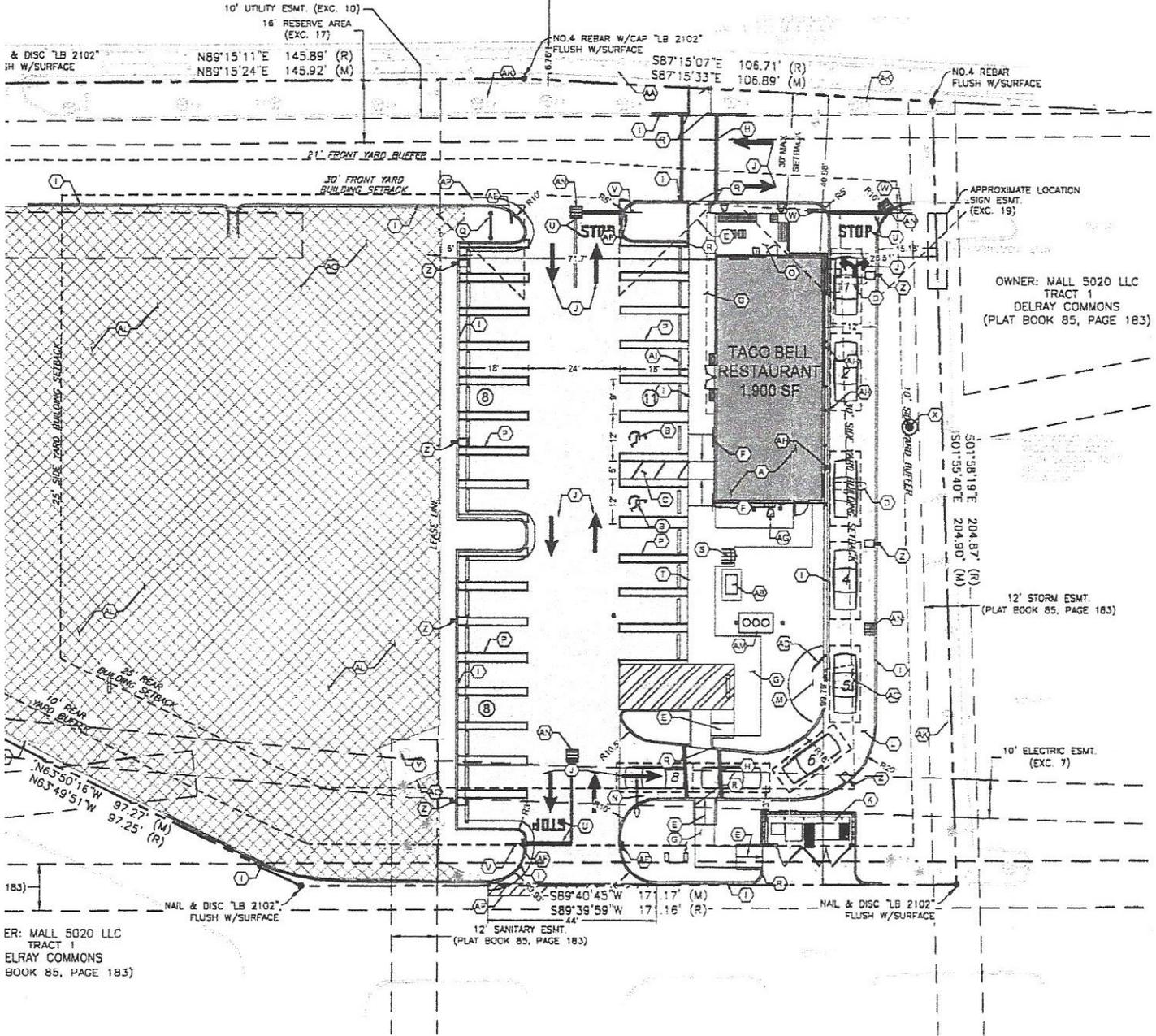
Pursuant to **LDR 4.6.7(E) Design Standard Matrix**; Only one wall sign per business facing a dedicated street frontage is allowed. The applicant is proposing a wall sign on the east elevation which faces the drive thru and its neighbor Burger King. The sign is 6'4 1/2" x 4'3" for a total of 27.09 SF. The sign is LED face lit and halo lit along with channel letters in the Taco Bell purple trademark color. The west elevation will face an interior parking lot and is 65" x 101.375" for a total of 45.4 SF. The bell is non illuminated while the wording is LED up lighting channel letters. The sign on the west elevation is over the main entrance.

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. The signs that are proposed on the east and west elevations meet the intent of the size pursuant to 4.6.7(E). However, they do not face a dedicated street therefore requiring the automatic granting of a waiver from the Master Sign Program. Each of the signs



proposed face interior to the site and face other commercial buildings and would not significantly impact the neighboring areas. The west elevation is vital to the applicant as it is over the main entrance to the establishment.

WEST ATLANTIC AVENUE  
(PUBLIC R.O.W. VARIES)  
(PLAT BOOK 85, PAGE 183)



OWNER: MALL 5020 LLC  
TRACT 1  
DELRAY COMMONS  
(PLAT BOOK 85, PAGE 183)

ER: MALL 5020 LLC  
TRACT 1  
ELRAY COMMONS  
BOOK 85, PAGE 183)

**BUILDING DATA TABLE**

	EXISTING	PROPOSED
BUILDING SIZE	2,844 SF	1,900 SF
BUILDING COVERAGE	2,844 SF / 0.0683 AC (5.53%)	1,900 SF / 0.0436 AC (6.96%)
	ALLOWABLE	PROPOSED
BUILDING HEIGHT	48 FEET	28 FEET
SETBACKS	REQUIRED BUILDING	REQUIRED BUILDING
	REQUIRED LANDSCAPING	PROPOSED LANDSCAPING
FRONT (W ATLANTIC)	30 FEET	21 FEET
		40.96 FEET
		3.98 FEET*
SIDE (EAST)	25 FEET	10 FEET
		28.51 FEET
		16.93 FEET
SIDE (WEST)	25 FEET	10 FEET
		71.70 FEET**
		5.00 FEET**
REAR (SOUTH)	25 FEET	10 FEET
		99.79 FEET
		22.26 FEET

\*EXISTING CONDITION TO REMAIN  
\*\* TO L.F.A.S. LINE

**PARKING TABLE**

	REQUIRED (SEE BELOW)	PROVIDED
STANDARD (9' x 18')	23 SPACES	25 SPACES
ADA (12' x 18')	2 SPACES	2 SPACES
TOTAL	25 SPACES	27 SPACES
LOADING ZONE	12X30'	12X30'

\*PARKING REQUIREMENT: 12 SPACES PER 1,000 SF OF GROSS FLOOR AREA.  
\*\*1,900SF / 1,000SF = 1.9  
\*\*\*1.9 x 12 SPACES = 23 SPACES



Scale  
1 inch = 40'0"

NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION



**TACO BELL**  
Delray Beach, FL

THE COLOR RENDERING, ELEVATIONS AND EXTERIOR MATERIALS SHOWN ARE APPROXIMATE AND NOT TO SCALE. MATERIALS AND FINISHES ARE SUBJECT TO CHANGE WITHOUT NOTICE. THE COLOR RENDERING IS FOR INFORMATIONAL PURPOSES ONLY. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED.

