# Development Services 

# Building | Historic Preservation | Planning \& Zoning 

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| Project Planner: <br> Kent Walia, AICP, Senior Planner; waliak@mydelraybeach.com 561-243-7365 | Review Dates: SPRAB Board: October 16, 2019 | $\begin{aligned} & 1 . \\ & 2 . \\ & 3 . \end{aligned}$ | Attachments Site Plans Landscape Plans Architecture Plans |
| :---: | :---: | :---: | :---: |

## Notes:

1. Prior to building permit issuance, a landscape maintenance agreement shall be recorded to maintain the landscape material adjacent to the on-street parking area.
2. Prior to building permit issuance, a plat shall be recorded subdividing the townhomes into individual lots, and dedicating the required cross access, limited access, and utility easements.
3. Prior to building permit issuance, a $2^{\prime}-0^{\prime \prime}$ wide property dedication shall be provided and recorded adjacent to the alleyway.
4. Prior to a Certificate of Occupancy, the portion of the alleyway adjacent to the subject site shall be paved in accordance with the City of Delray Beach Engineering standards.

## Assessment and Summary:

The subject site is a 0.3225 -acre property which is composed of Lot 13 and Lot 14 of the Linns Addition to Osceola Park plat with a physical address of 202 SE $4^{\text {th }}$ Avenue. The proposed Class V Site Plan application is associated with the construction of a 3,781 sf, three-story, three unit townhome building, with related site and landscaping improvements. The townhomes units will range from 2,950 sf to 3,250 sf and include five bedrooms, individual two-car garages, and private pools. The building design includes modern aesthetics, cantilever balconies with aluminum railings, and contemporary designed doors and windows. The site improvements include 6 ' tall screen walls, raised planter beds, driveway paving, interior parking spaces, and the creation of five on-street parking spaces with landscape bulb-outs. The landscaping improvements include a diverse mixture of native and Florida Friendly vegetation composed of palms, shrubs, trees, foundation plants, and bamboo.

## Background:

The 0.3225 -acre site is composed of Lots 13 and 14, on block 95 of the Linns Addition to Osceola Park as indicated on Palm Beach County Plat book 1, page 133.

- According to the Palm Beach County property appraiser (Property Appraiser), there is an existing 1,598 sf house built on Lot 13, which has existed since 1993 (permit \#93-23922).
- According to the Property Appraiser and the City of Delray Beach (the City) permit records, Lot 14 has been a vacant property dating back to 1993.
- On March 29, 2019, the Agent on behalf of the applicant submitted a Class V Site Plan application for the construction of a three-unit, three story, townhome building on the subject site.


## Site Plan Analysis:

## Compliance with the Land Development Regulations:

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

Pursuant to LDR Section 4.4.6 (A) Purpose and Intent, The Medium Density Residential (RM) District provides a residential zoning district with flexible densities having a base of 6 units per acre and a maximum of 12 units per acre. The actual density of a particular RM development is based upon its ability to achieve certain performance standards which are intended to mitigate the impacts of the increased density and ensure that the project is compatible with surrounding land uses. Further, the Medium Density residential district provides for implementation of those objectives and policies contained within the Housing Element of the Comprehensive Plan which call for accommodating a variety of housing types.

- The application is proposing the construction of a three-story townhome building with three units. The subject property is composed of two lots (13 and 14) totaling 0.3225 acres. The base density of 6 dwelling units per acre (du/ac) which allows the subject site to yield ( $0.3225 \times 6$ du/ac) 1.935 dwelling units. However, if Site Plan Review and Appearance Board (SPRAB) determines that the proposal meets the applicable performance standards listed in LDR Section 4.4.6 (I)(1), then the density increases up to 12 du/ac allowing the property to yield ( $.3225 \times 12 \mathrm{du} / \mathrm{ac}$ ) 3.87 dwelling units, which would accommodate the 3 proposed units for development. As proposed the project meets the intent of the RM zoning district in providing a multiple family structure, in accordance with LDR Section 4.4.6 (B).

Pursuant to LDR Section 4.4.6 (I) Performance Standards, in order to increase a project density beyond six units per acre, the approving body must make a finding that the development substantially complies with the performance
standards listed in this section. It is acknowledged that some of the referenced standards below may not be entirely applicable to small, infill type residential projects. For those types of projects, the ultimate density should be based upon the attainment of those standards which are applicable, as well as the development's ability to meet or exceed other minimum code requirements.

| LDR Section | Performance Standard | Compliance |
| :---: | :---: | :---: |
| 4.4.6(l)(1)(a) | Provides interior and exterior traffic circulation/traffic calming devices | N/A |
| 4.4.6(l)(1)(b) | Provides building placement to reduce overall mass and increase the feeling of open space | N/A |
| 4.4.6(1)(1)(c) | Provides increased landscape buffer and setback adjacent to a residential zoning district with lower density | Yes |
| 4.4.6(l)(1)(d) | Provides varied streetscape and building design | Yes |
| 4.4.6(l)(1)(e) | Provides a variety of unit types, sizes, and floor plans | N/A |
| 4.4.6(1)(1)(f) | Provides preservation or enhancement of the natural area, open space or native habitat | N/A |
| 4.4.6(1)(1)(g) | Provides a bike/ped network, and access to transit | N/A |
| 4.4.6(1)(2) | Acknowledgment that some of the above-referenced standards may not be entirely applicable to small, infill type residential projects. | Yes |
| 4.4.6(1)(3) | For vacant properties that are proposing a rezoning to RM with a density suffix | N/A |

Pursuant to LDR Section 4.4.6 (I)(1)(a), "The traffic circulation system is designed to control speed and reduce volumes on the interior and exterior street network. This can be accomplished through the use of traffic calming devices; street networks consisting of loops and short segments; multiple entrances and exits into the development; and similar measures that are intended to minimize through traffic and keep speeds within the development at or below 20 m.p.h."

- As mentioned, the proposed development is a three unit townhome project on a 0.32 -acre lot. Due to the size of the site and scope of the development, the opportunity for traffic calming devices is not feasible for this type of project. However, the development does feature two access points: one on SE $4^{\text {th }}$ Avenue and the other on the platted alleyway. The access points are connected by a two-way drive aisle that spans the width of the lot and will be required to have "stop" signs on either end, which would reduce speeds.

Pursuant to LDR Section 4.4 .6 (I)(1)(b), buildings are placed throughout the development in a manner that reduces the overall massing and provides a feeling of open space.

- The aforementioned performance standard is not applicable for this project as it relates to developments with multiple buildings. The proposed development consists of one structure, subdivided into three individual dwelling units.

Pursuant to LDR Section 4.4.6 (I)(1)(c), "Where immediately adjacent to residential zoning districts having a lower density, building setbacks and landscape materials along those adjacent property lines are increased beyond the required minimums in order to provide a meaningful buffer to those lower density areas. Building setbacks are increased by at least 25 percent of the required minimum; at least one tree per 30 linear feet (or fraction thereof) is provided; trees exceed the required height at time of planting by 25 percent or more; and a hedge, wall or fence is provided as a visual buffer between the properties."

- As mentioned, the proposed development is situated on two RM zoned lots which are adjacent to R-1-A Single-Family homes to the south. In accordance with the performance standard in LDR Section 4.4.6(I)(1)(c), the plans provided show increased side interior setback, a row of large trees, and continuous screening of hedges. On page SP-1, the side interior setback provided for the ground floor is $28^{\prime}-11^{\prime \prime}$ ( $15^{\prime}$ min req.) equates to a $92 \%$ increased setback from the adjacent R-1-A properties.

Specifically, plan page L-2 shows a row of 13 trees adjacent to the south property line placed $8^{\prime}$ to $14^{\prime}$ feet on center to create a dense continuous buffer of trees. The trees provided will be made up of canopy trees and palm trees. The Holly trees are specified at a height of 20', Fishtail Palm are specified
at $16^{\prime}$ in height, and the Sable Palms are specified at a height of $26^{\prime}$. The Sable Palms and the Holly trees specified are over $25 \%$ larger in height than what is specified in the code as required in this LDR section.

Pursuant to LDR Section 4.4.6 (I)(1)(d), the development offers a varied streetscape and building design. For example, setbacks are staggered and offset, with varying roof heights (for multi-family buildings, the planes of the facades are offset to add interest and distinguish individual units). Building elevations incorporate diversity in window and door shapes and locations; features such as balconies, arches, porches, courtyards; and design elements such as shutters, window mullions, quoins, decorative tiles, etc.

- The plans provided shows varied streetscape and building designs. The plans show landscape bulbouts in public ROW parking area that contain street trees. The landscape bulb-outs provided incorporate Verwood trees that provide shade onto the pedestrian sidewalk while cooling surface temperatures and providing aesthetic beauty to the corridor. The building design includes recessed façade planes, a variety of different window scales, door locations, balcony configurations, and cantilever awnings over the doorway. Furthermore, the building design incorporates an increased setback on the $3^{\text {rd }}$ floor along the east, west and north elevations.

Pursuant to LDR Section 4.4 .6 (I)(1)(e), a number of different unit types, sizes and floor plans are available within the development in order to accommodate households of various ages and sizes. Multi-family housing will at a minimum have a mix of one, two and three-bedroom units with varying floor plans. Single-family housing (attached and detached) will at a minimum offer a mix of three and four-bedroom units with varying floor plans.

- The intent of this performance standard pertains to development projects with multiple structures and is not applicable for this project. The proposed project consists of one building composed of three individual attached townhome units. The units feature varying floor plan layouts each with 5 bedrooms.

Pursuant to LDR Section 4.4.6 (I)(1)(f), the development is designed to preserve and enhance existing natural areas and/or water bodies. Where no such areas exist, new areas which provide open space and native habitat are created and incorporated into the project.

- The intent of this performance standard pertains to large scale developments with multiple structures, internal roadways, drive aisles, and drainage preservation requirements with enhancements. Since the proposed project is of a small scale and not adjacent to any natural areas or bodies of water, the aforementioned performance standard is not applicable for this project.

Pursuant to LDR Section 4.4.6 (I)(1)(g), the project provides a convenient and extensive bicycle/pedestrian network, and access to available transit.

- The aforementioned performance standard is not applicable to this project due to the scale and location of the project. The development is not large enough to contain an extensive internal bicycle or pedestrian network. Furthermore, the project is not located along any external bicycle or bus routes. However, the project is adjacent to a paved sidewalk along SE $2^{\text {nd }}$ Street and SE $4^{\text {th }}$ Avenue which is connected to a city-wide grid system that would allow pedestrians external access to the downtown and the bus stop on SE $5^{\text {th }}$ Avenue.

Pursuant to LDR Section 4.4.6 (I)(2), It is acknowledged that some of the above referenced standards may not be entirely applicable to small, infill type residential projects. For those types of projects, the ultimate density should be based upon the attainment of those standards which are applicable, as well as the development's ability to meet or exceed other minimum code requirements.

- The proposed project is considered a small infill residential development. The aforementioned LDR Section mentions, "the ultimate density should be based upon the attainment of those standards which are applicable." As such, 2 of the 7 performance standards apply to this project.

Pursuant to LDR Section 4.4.6 (I)(3), for vacant property that is proposed for rezoning to RM with a density suffix, the approving body must made a finding that the proposed density is appropriate based upon the future land use map designations of surrounding property as well as the prevailing development pattern of the surrounding area.

- The aforementioned performance standard is not applicable to this project since the property is already


## zoned RM.

## Base District Requirements:

Pursuant to LDR Section 4.4.3 (E)(4), Lot Frontage, Notwithstanding the previous description, if a limited access easement or limited access right-of-way runs the length of the frontage on a street, then the front of the lot shall be on a frontage without such access restrictions.

- Pursuant to LDR Section 4.4.3 (E)(3), for lots with frontage on both an arterial (SE 2nd Street) and a collector (SE $4^{\text {th }}$ Avenue), the front shall be considered the side adjacent to the arterial. However, in accordance with LDR Section 4.4.3 (E)(4), if a limited access easement is provided then the front shall be the side without such access restrictions. The applicant is requesting a limited access easement along SE $2^{\text {nd }}$ Street to allow for the SE $4^{\text {th }}$ Avenue to be the lot frontage. As a result, the front setback was taken from SE $4^{\text {th }}$ Avenue, the side street setback taken from SE $2^{\text {nd }}$ Street, the rear setback taken from the alley, and side interior setback from the south property line. Furthermore, the pools shown on the plans can now be located within the side street setback 10 ' feet from the waters edge to the property line, in accordance with LDR Section 4.6.15 (G)(1).

LDR Section 4.3.4 (K) Development Standards Matrix

| Zoning <br> Medium Density Residential (RM) | Required/ Allowed | Provided |
| :---: | :---: | :---: |
| Lot Frontage (Min.) | $60^{\prime}$ | 106' |
| Lot Coverage (Max.) | 40\% | 26.9\% |
| Lot Area (Min.) | 8,000 sf | 13,831 sf |
| Open Space (Min.) | 25\% | 36.6\% |
| Height (Max.) | 35 ' | 33'-4" |
| Setbacks (Min.): |  |  |
| Front (East) | 25' / 30** | 25'-1" / 30'* |
| Side Street (North) | $25^{\prime} / 30^{\prime *}$ | $25^{\prime} / 3{ }^{\prime *}$ |
| Side Interior (South) | 15'/30** | 28'-11" / 30' |
| Rear (West) | 25' | 25'-2" |

*Pursuant to LDR Section 4.3.4 (K)(7), the setback for the 3rd story shall only be applied to those portions of the building which are 3 stories in height, not the entire building. The setback for the 3 rd story in the RM zoning district is $30^{\prime}$ for the front, side street, and side interior.

Pursuant to LDR Section 4.4.6 (F)(b), Garage setbacks: garages, carports, and porte-cochere must have a minimum 20 feet setback when the entrance faces a public street or alley.

- As shown on page SP-1, the townhomes facing SE 2nd Street have a 2-car garage with a setback of at least 25 ', thus complying with this requirement.


## Supplemental District Regulations:

Pursuant to LDR Section 4.6 .5 (C), walls, fences, or hedges located in a required front yard or street side yard shall not exceed six feet in height. Walls, fences, or hedges located in a required interior side or rear yard shall not exceed eight feet in height.

- Site plan SP-1, shows a 6' high masonry screen wall adjacent to the front yard, side street, and rear yard setbacks. The wall is offset approximately $6^{\prime}$ from the property line to allow for landscaping to grow in the front of the walls. Furthermore, the north property line contains two triangular landscape planter beds contained in a $3^{\prime}$ tall masonry planter. As shown on page L-2, the proposed Fakahatchee Grass plants shown to screen the concrete walls are identified to be installed at 24 " in height at time of planting. The plant material selected in accordance with LDR Section 4.6 .5 (E), will grow to a mature height within two years, to be maintained at a height half the size of the wall. The proposed wall and hedge heights comply with the aforementioned LDR section.

Lighting:
Pursuant to LDR Section 4.6.8 (A), the following demonstrates compliance with the applicable lighting regulations:

| Outdoor Lighting | Maximum/Minimum Illumination <br> Foot Candles (fc) Required | Provided |
| :---: | :---: | :---: |
| Driveway Lighting | 4.0 (fc) $\max / 0.3(\mathrm{fc}) \min$ | 2.7 (fc) max/0.5 (fc) min |

- The project is proposing lighting on the property along the driveway and in the public ROW. The light fixture specified on page $\mathrm{P}-1$ for installation along the driveway is Domitienne V2. The light fixture is a $13^{\prime}$ tall, contemporary designed pole with an LED bulb. The specified fixture does not indicate full cut off luminaire as required, thus a comment has been added to this report requiring that a fixture with full cut off luminaire be specified prior to site plan certification. The plans show photometric light levels ranging from a maximum of 2.7 (fc) to a minimum of 0.5 (fc) along the driveway.

The plans provided propose City of Delray Beach standard light fixtures in the alleyway. The specified fixture is the Spring City Co., model "The Delray." Furthermore, page P-1 shows an existing utility pole located in the public ROW at the intersection of the alley and SE $4^{\text {th }}$ Avenue that is required to have a "Cobra Head" light fixture to provide light along SE $2^{\text {nd }}$ Avenue.

## Off-Street Parking Requirements:

- Pursuant to LDR Section 4.6 .9 (C)(2)(c), two parking spaces are required for multiple unit residential buildings with two or more bedrooms, and 0.5 spaces per unit are required for guest parking.

| Parking | Required | Provided |
| :---: | :---: | :---: |
| Multi-Family Parking (2.0 per unit) | $(3$ units $\times 2$ spaces $)=6$ spaces | Three two-car garages $=6$ spaces |
| Guest Spaces (0.5 per unit) | $(3$ units $\times 0.5$ spaces $)=2$ spaces | Two guest parking spaces in the <br> rear $=2$ spaces |
| On-street parking spaces | - | 5 |
| Total | 8 | 13 spaces |

- In accordance with the aforementioned LDR section, the project is required to provide 8 total parking spaces. The project complies with this LDR section in providing 6 residential parking spaces within three two-car garages and 2 guest parking spaces. The parking garages are $19^{\prime} \times 20^{\prime}$, which can accommodate two cars in each. The guest spaces are $9^{\prime} \times 18^{\prime}$ in accordance with LDR Section 4.6.9 (D)(4)(e). Although not required, the project is providing 5 additional parallel on-street parking spaces; three located on SE 2nd Street, and two located on SE $4^{\text {th }}$ Avenue. The proposed on-street parking spaces shown on the plans exceed the minimum size required for parallel parking spaces specified in LDR Section 4.6 .9 (D)(4)(e), thus complying with this requirement. Furthermore, the parking spaces will be accessible to the public, and cannot be reserved or restricted by the owners or tenants or the lots or parcel unless approved by the City Commission. As such, positive findings can be made in regard to this LDR Section.

Pursuant to LDR Section 4.6 .9 (D)(3)(c), Stacking Distance, provisions must be made for stacking and transition of incoming traffic from a public street, such that traffic may not back up into the public street system. The minimum distance between a right-of-way and the first parking space or aisleway in a parking lot with 20 or fewer spaces shall be at least $\underline{5}^{\prime}$ for local streets.

- Site Plan page SP-1 shows a 9.8 ' stacking distance on the west side of the property from the alleyway to the first parking guest parking space, and a $10.3^{\text {' }}$ stacking distance on the east side of the property from SE $4^{\text {th }}$ Avenue (local road) to the first parking spaces. The proposed stacking distances exceed the minimum requirement listed above.


## Maneuvering Area, aisle width, and space width:

Pursuant to LDR Section 4.6.9 (D)(4)(d) Aisle Width, the standard aisle width is 24 feet for normal traffic flow with perpendicular parking. Two-way traffic flow must be used when perpendicular parking spaces are used. The minimum aisle width for two-way traffic flow is twenty feet but this dimension can only be used for short distances where there are no parking spaces entering therein.

- The plans provided show a 24 ' wide drive aisle width to accomodate two-way traffic between both entrances on the site. The parking spaces will be accessible in conformance with drive aisle standards and include adequate maneuvering area for vehicles to enter and exit the property. As such, the proposed driveway design meets the minimum requirements in the aforementioned LDR Section.


Sight Line Visibility:
Pursuant to LDR Section 4.6.14 (B)(1), Driveway intersecting street or alley, the area on both sides of a driveway formed by the intersection of a driveway and a street or alley with a length of ten feet along the driveway, a length of ten feet along the street or alley right-of-way and the third side being a line connecting the ends of the other two lines.

- The site plans provided shows $10^{\prime} \times 10^{\prime}$ site line visibility triangles at both drive aisle entrances of the property in accordance with the aforementioned LDR Section.

Pursuant to LDR Section 4.6.14 (B)(6), Other intersections, in all other situations, the area of property located at a corner formed by the intersection of two or more public rights-of-way with two sides of the triangular area being 40 feet in length along the abutting public right-of-way lines, measured from their point of intersection, and the third side being a line connecting the ends of the other two lines.

- Pursuant to the above referenced LDR section, when a corner of a property is formed by two or more public ROWs a 40 ' sight line visibility triangle is required. The plan proposes a request for relief to create a 25 ' sight line triangle in-lieu thereof. Relief is granted by the City Engineer on a case by case basis, when in considering the neighborhood characteristics, location, traffic, pavement width, speed limit and presence of on-street parking spaces. Upon review, the City Engineer has granted relief for the project.


## Swimming Pool:

Pursuant to LDR Section 4.6.15 (G)(1), Swimming pools, the tops of which are no higher than grade level, may extend into the rear, interior or street side setback areas but no closer than ten feet to any property line.

- Site plan page SP-1 shows three private swimming pools on the site. As a result of the limited access easement being provided along the north side of the property, the north side of the property is considered the side street setback, and the west side of the property is considered the rear setback. As shown, the proposed pools for unit TH-A and TH-B are located within the side street back, 10 ' from water's edge to the property line. The pool shown adjacent to unit TH-C in the rear setback is shown to be 11 ' from the property line.


## Landscape Analysis:

Pursuant to LDR Section 4.6.16(C)(1)(a), prior to the issuance of a building permit for a structure or a paving permit, compliance with the requirements of LDR Section 4.6 .16 shall be assured through the review and approval of a landscape plan submitted pursuant to Section 2.4.3(C).

- The landscape plans have been reviewed for compliance with LDR Section 4.6.16 by the Senior Landscape Planner. Plan page L-1 shows that the development is proposing to relocate one Mahogany Tree, and keep
one Cabbage Palm tree. Furthermore, the plan shows the removal of two Seagrape trees and one Green Buttonwood tree. Plan page L-2 shows a lush variety of native and Florida Friendly landscape material proposed for the development. The quantity and size comply with the minimum requirement listed in the LDR. The landscaping selected along SE $2^{\text {nd }}$ Street and SE $4^{\text {th }}$ Avenue are composed of a row of Solitaire Palm trees with ornamental grasses and foundation plant material. The two corners of the property adjacent to SE $2^{\text {nd }}$ Street feature raised triangle planter beds in front with Sylvester Date palms, which aesthetically frame from the front of the buildings. Along the west property line, a row of Sable palm trees with foundation plants and ornamental grasses buffer the property from the adjacent alleyway. As previously mentioned, adjacent to the south property line features a row of East Palatka Holly trees spaced 15' on center, Sable Palms spaced $8^{\prime}$ on center and a continuous row of shrubs. Additionally, the landscape material provided along the south property line provides a buffer from the higher density use of the subject property to the lower density Single-Family zoned properties to the south.


## Architecture Elevations:

Pursuant to LDR section 4.6.18(B)(2), buildings or structures located along strips of land or on single sites, and not a part of a unified multi-building complex, shall strive to achieve visual harmony with the surroundings. If they are built in undeveloped areas, the three primary requirements shall be met: express honest design construction, show proper design concepts, and be appropriate to the City.

- As mentioned, the proposed building is a three-story building with three single-family attached townhome units. The proposed designed is consistent in scale and design with the adjacent properties.

The subject site is located at the corner of SE $2^{\text {nd }}$ Street and SE $4^{\text {th }}$ Avenue, within the RM zoning district, and adjacent to the Central Core of the CBD zoning district. As mentioned, the three-story building is proposed at $33^{\prime}-4^{\prime \prime}$ to the flat roof height. The property is located across the street from a CBD zoned $45^{\prime}$ tall AT\&T telecommunication utility center to the north, an RM zoned vacant property to the east, a one-story single-family home to the south, and a vacant RM zoned property to the west. Additionally, the subject site is located within a few blocks from the Sofa Luxury Apartment Building (four-story, 117-units), the Caspian Apartment Building (four-story, 146-units), and the Aloft Hotel/Condo (Five-story, 122-room hotel, 35 condo units). The proposed three-story townhomes are in scale with the adjacent zoning districts and provide a density transition from the CBD zoned properties to the north from the Single-Family zoned properties to the south. Below are images of similarly designed buildings within a block of the proposed development.


The building design includes three townhome units, each with a two-car garage and private swimming pool. The building design includes contemporary flat roofs, cantilever balconies with horizontal aluminum railings,
staggering façade planes, architectural finishes, screen walls, and exterior courtyard planters. The finishes include Boral and Alucobond applied siding, architectural scoring accents, and glass garage doors. The masonry screen walls include decorative Boral sided doors, pendant lights, and illuminated signage. The exterior curtain wall glass design provides natural light into the building while reducing the monolithic mass of the building. The architecturally cladded exterior doors finish into the building façade, continuing the wood appearance veneer in the front of the building from the $2^{\text {nd }}$ story above. The courtyard planter includes colorful foundation plant material and highlighted by an accent palm tree. The architectural building elevations propose a modern masonry building with finishes and designs that demonstrate a harmonious transition into the existing fabric of the neighborhood.

- The proposed building expresses "honest design construction", as it uses weather resistant materials, impact resistant windows and doors, and low voltage lighting. Thus, this requirement has been met.
- The proposed building expresses "proper design concepts" by utilizing modern architectural design aesthetics, compatible colors with surrounding facades and similar scale with adjacent buildings. Thus, complying with this requirement.
- The proposed building is "appropriate to the city" as it is consistent in scale and design with the adjacent Sofa Luxury Apartments, Caspian Luxury Apartments, Aloft Hotel/Condos. Furthermore, the proposed use is permitted in the RM zoning district. Thus, complying with this requirement.
- Pursuant to LDR Section 4.6.18 (E), Criteria for board action, the following criteria shall be considered, by the Site Plan Review and Appearance Board or Historic Preservation Board, in the review of plans for building permits.

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.

- The building design is compatible with the neighborhood and will increase the overall aesthetic design of the community. Furthermore, the size and scale of the proposed building are in accordance with the RM zoning district. Lastly, the site incorporates over 36\% open space which exceeds the minimum LDR requirement, adding to the perviousness of the site.

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.

- The exterior design incorporates modern masonry designed architecture. The townhome development will feature three, three-story luxury townhomes with amenities. It is anticipated that the design of the project will contribute to the increase in property values in the Osceola Park neighborhood and along the corridor.

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 project is compatible in scale, density, and zoning of the properties adjacent to the site. Furthermore, the project complies with the goals, objectives, and policies (GOP) listed in the comprehensive plan. Specifically, the project furthers the GOP of the comprehensive plan by improving the housing stock, increasing the surplus of on-street parking, contributing to the paving of alleyways, and providing lighting along public ROWs.


## Subdivision Regulations:

Pursuant to LDR Section 4.3.3 (0), Plat Required, each townhouse, or townhouse type development shall be platted with a minimum designation of the interior street system as a tract. Pursuant to LDR Section 4.4.6 (E)(3), the creation of a new lot for the purpose of building a single-family residence requires platting pursuant to 2.4.5(J) or (K), as applicable

- A note was added to this report requiring that the applicant provided a record plat subdividing the lots into three individual lots prior to building permit issuance. As such, the aforementioned LDR section has been met.

Pursuant to LDR Section 5.3.1 (A) Dedications, when development is adjacent to an existing or planned street, the development shall be responsible for providing one-half of the ultimate right-of-way or such portion of the ultimate right-of-way which is yet undedicated and which is on that development's side of the ultimate right-of-way centerline. In situations where there are unusual topographic features, greater or lesser dedications may be required.

- As shown on page SP-1, the existing alleyway is shown to be 16 '. As such, the plans show the development is providing a $2^{\prime}$ dedication along the alleyway to contribute to the required $20^{\prime}$ ROW minimum requirement for alleys in accordance with 5.3.1(D)(2) Table T-1.

Pursuant to LDR Section 6.1.2 (C)(2)(e) Radii Dedication, a property line radii of 25 ' is required for all local streets.

- The plans show the development is providing a dedication at the northeast corner of the property, creating 25 ' radii at the intersection of SE 2nd Avenue and SE 4th Street. The dedication provided would satisfy the aforementioned regulation, which is required as the design standard for all local streets in the City.

Pursuant to LDR Section 6.1.2 (A)(2) Improvement Obligations, when the street or alley is located on a boundary of the project, the project is responsible for providing one-half of the current costs (in cash funds) of such improvements along its property line unless the project requires greater participation as follows in subsections (a) or (b).

- The City's Neighborhood Revitalization plan for Osceola Park anticipates future Capital Improvement Projects (CIP) for the paving of alleyways and installation of on-street lighting throughout the neighborhood. Since the proposed development is requiring access from the alleyway, prior to Certificate of Occupancy (CO) of the townhomes, the paving of the portion of the alleyway adjacent to subject property must be in place. As such, prior to the building's CO, the applicant would need to pave the portion of the alleyway adjacent to their property in accordance with the City's engineering standards; or the City's CIP project would be completed first. A note has been added to this staff report requiring that the portion of the alleyway adjacent to the property be paved prior to building CO .


## Required Findings:

Pursuant to LDR 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 resulting use of land or structures must be allowed in the zoning district within which the land is situated and said zoning must be consistent with the applicable land use designation as shown on the Future Land Use Map.

- As mentioned, the subject property has a FLUM designation of Medium Density (MD) and a Zoning map designation of Residential Medium (RM). The RM zoning district is consistent with the MD FLUM designation. In accordance with LDR Section 4.4.6 (B)(3), multifamily structures are a permitted principal use in the RM zoning district.

Section 3.1.1 (B) - Concurrency:
Facilities which are provided by, or through, the City shall be provided to new development concurrent with the issuance of a Certificate of Occupancy. These facilities shall be provided pursuant to levels of service established within the Comprehensive Plan.

- The Concurrency items and analysis are located in Appendix "A."

Section 3.1.1 (C) - Consistency:
Compliance with performance standards set forth in Chapter 3 and required findings in Section 2.4.5(F)(5) for the request shall be the basis upon which a finding of overall consistency is to be made. Other objectives and policies found in the adopted Comprehensive Plan may be used in making a finding of overall consistency.

- The analysis regarding consistency is located in Appendix "B".


## Section 3.1.1 (D) - Compliance with the LDRs:

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

- As described under the Site Plan Analysis section of this report, a positive finding of compliance with the LDRs can be made.


## Adjacent Land Uses:

Pursuant to LDR Section 2.4.5(F)(5), Adjacent land use designations, "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 diagram and table indicates the zoning and land use of the properties surrounding the subject property:


As mentioned, the subject site is located at 202 SE $4^{\text {th }}$ Avenue. The subject site is adjacent to the AT\&T Utility building to the north, a vacant RM zoned property to the west and east, and within one block from luxury, multi-family buildings. The multifamily buildings near the subject site are the Sofa Apartments, Caspian Apartments, and the Aloft Hotel/Condos. The adjacent multifamily buildings are four to five stories tall, are high density, and feature modern architecture design aesthetics. The project is proposing a three-story, three unit townhome development with masonry modern aesthetics. The proposed townhomes provide an architectural and scale transition from the higher density multifamily and commercial buildings to the north to the lower density single-family homes to the south. As such, the proposed luxury townhome project demonstrates compatible and harmonious assimilation with the adjacent and neighboring properties and will contribute to the increase of the new housing stock in the neighborhood and the enhancement of property values.

## 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 (FLUE)

Objective A-1: Property shall be developed or redeveloped, in a manner so that the future use, intensity, and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable goods and services; are complementary to and compatible with adjacent land uses and fulfill remaining land use needs.

- The project located at 202 SE $4^{\text {th }}$ Avenue is composed of two lots (13 and 14). The subject site is located in the RM zoning district, which allows 6 to 12 dwelling units per acre. Currently on Lot 13 is a single-family residential home, which is slated to be demolished in order to create the proposed project. Lot 14 is currently a vacant lot, which will be redeveloped for the proposed project. The unified lots total .3325 acres, which can yield up to 3 residential units ( $0.3325 \times 12 \mathrm{du} / \mathrm{ac}$ ). Additionally, the project is in compliance with the height and setback requirements of the RM zoning district, compatible in design with the adjacent and neighboring buildings, and provides a transition from the higher density CBD zoned properties to the north to the lower density R-1-A zoned properties to the south. Lastly, the project proposes an increase in available houses on the subject site from one single-family home to three townhomes.

Pursuant to LDR Section 3.2.3 (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 (Separation of Transportation Modes) and D-2 (Accommodating Bicycles) of the Transportation Element.

- The subject site is located at the corner of SE $2^{\text {nd }}$ Street and SE $4^{\text {th }}$ Avenue. The project as designed demonstrates compliance with some of the multimodal techniques in the comprehensive plan. The subject site is adjacent to an existing $5^{\prime}$ existing sidewalk on the north side of the property and proposing a new $5^{\prime}$ sidewalk on the east side of the property. The sidewalks would contribute to the interconnection of the existing paving network throughout the City and would enhance the pedestrian experience by providing safe walkable streets. The site is not located on a bus route but is located within one block of a bus stop. Additionally, since the site is not located on a bus route, the development would be providing $50 \%$ of the cost of a bus shelter in order to contribute to the finding in building a shelter elsewhere in need. Since the development is a residential townhome project, it is not required to provide bicycle racks.

Review by Others:

## Utility Providers:

- Pursuant LDR Section to 2.4 .2 (C)(2)(a), utility providers were notified of the site plan submission and no objections have been provided to date.


## Community Redevelopment Agency (CRA):

- Pursuant to LDR Section 2.4.2 (C)(1)(b), the CRA has been notified of the proposed project and no objections have been made to date.


## Drainage:

- The drainage calculations provided for the project were prepared by EnviroDesign Associates Inc. The calculations demonstrate that the drainage system was designed to meet to City's engineering standards for rainstorms of maximum intensity based on a ten-year interval, and one-day run-off volume.


## Courtesy Notices:

Pursuant to 2.4.2 (C)(3), courtesy notices have been provided to the following homeowners associations, which have requested notice of developments in their areas:

- Osceola Park Homeowners Association

Letters of objection or support, if any, will be presented at the Site Plan Review and Appearance Board (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:

- Civil plan page 1 of 7 show a proposed lateral connection to an existing 6 " water main on SE $2^{\text {nd }}$ Avenue and an 8 " water main on SE $4^{\text {th }}$ Street.
- Civil plan page 1 of 7 shows a proposed lateral connection to an existing $15^{\prime \prime}$ gravity sewer main along SE $2^{\text {nd }}$ Avenue.
- Pursuant to the City's Comprehensive Plan, treatment capacity is available at the City's Water Treatment Plant and the South-Central County Wastewater Treatment Plant for the City at build-out. Based upon the above, positive findings can be made with respect to this level of service standard.

Streets and Traffic:
Provided with the application was a traffic statement created by EnviroDesign Associates. The statement mentions that the project will generate 10 new daily trips when built-out, insignificantly impacting the surround roadway network. The statement was provided to the Palm Beach County Traffic Division for review and met with approval.

## Parks and Recreation:

Pursuant to LDR Section 5.3.2 (C)(1) through (2), whenever a development is proposed upon land which is not designated for park purposes in the Comprehensive Plan, an impact fee assessed for the purpose of providing park and recreational facilities shall be imposed. The amount of the fee shall be $\$ 500.00$ per dwelling unit regardless of the size or occupancy of the unit. As such, prior to issuance of a building permit, the applicant shall pay a $\$ 1,500$ parks impact fee.

## Solid Waste:

Proposed Demand:
Residential Dwelling unit: 9,150 g.s.f $\times 1.99 \mathrm{lbs}=18,208.5 / 2,000=9.1$ tons per year

## Tonnage per year $=9.1$ tons

The proposed OSE Townhome project will add approximately 9.1 tons of waste per year to the current demand. The Solid Waste Authority has indicated that its facilities have sufficient capacity to handle all development proposals until the year 2048.
Drainage:
Provided with the application was drainage calculations created by EnviroDesign Associates Inc. The calculations were based on F.A.C Chapter 62-302 \& SFWMD standards. The drainage calculations provided indicate that there will be 3265 cubic feet (cf) of stormwater runoff on site post development. The report mentions that $100 \%$ of the stormwater runoff will be contained in the exfiltration trench.

## 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.
$\square$ Not applicable
Q Meets intent of standardDoes 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
C. Open space enhancements as described in Policies found under Objective B-1 of the Open Space and Recreation Element are appropriately addressed.

Not applicableMeets 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.
$\square$ Not applicable
Q Meets intent of standard
$\square$ 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.
$\square$ Not applicable
Q Meets intent of standard
$\square$ 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.
$\square$ Not applicable
Meets intent of standard
$\square$ 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.
$\square$ Not applicable
Meets intent of standard
$\square$ 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
$\square$ 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.

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\(\square\) Not applicable
M Meets intent of standard
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```Does not meet intent
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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.
$\square$ Not applicable
Meets intent of standard
$\square$ Does not meet intent






