



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: November 13, 2019 | **File No.:** 2016-128-SPM-SPR-CL3 | **Application Type:** Class III Site Plan Modification for Gasland

General Data:

Applicant: Ritz Petroleum, LLC

Agent: Chad Herd

Address: 398 NE 5th Avenue

PCN: 12-43-46-16-05-097-0012

Property Size: 0.46

FLUM: Central Core (CC)

Zoning: Central Business District (CBD)

Adjacent Zoning:

- North: CBD
- East: CBD
- South: CBD
- East: CBD

Existing Land Use: Gasoline Station/ Full-Service Station

Proposed Land Use: Gasoline Station/ Convenience Mart



Item before the Board:

Consideration of a Class III Site Plan Modification for the use conversion of the two automotive service bays to retail use to accommodate an interior expansion of the existing convenience store and associated site improvements, pursuant to Land Development Regulations (LDR) Section 2.4.5 (G)(1)(c). The item includes the following:

- Site Plan Modifications
- Landscape Plan
- Architectural Elevations Changes

Optional Board Motions for Action Item:

1. Move to continue with direction.
2. Move approval of the Class III Site Plan Modification (2016-128) for site plan modifications, landscape plan, and architectural elevation changes, for **Gasland**, by finding that the request is consistent with the Comprehensive Plan and Land Development Regulations.
3. Move denial of the Class III Site Plan Modification (2016-128) for site plan modifications, landscape plan, and architectural elevation changes for **Gasland**, by finding that the request is inconsistent with the Comprehensive Plan and does not meet the Land Development Regulations.

Notes:

1. A Perpetual Sidewalk Easement shall be accepted by the City Commission and recorded prior to building permit issuance.
2. A right-of-way dedication must be accepted by the City Commission and recorded prior to the issuance of a building permit for the 5 ft. dedication along NE 4th Street and for a 20'x20' corner clip triangle dedication along the southwest corner intersection of NE 4th Avenue and NE 5th Avenue.
3. A Landscape Maintenance Agreement must be accepted by the City Commission and recorded prior building permit issuance for the proposed installation and maintenance of vegetation within the City's right-of-way along NE 4th Street.
4. That the manufacturing details for the proposed light fixtures be provided in accordance with the requirements listed in LDR Section 4.6.8, prior to certification of the plans.

Project Planner:

Debora Slaski, Planner;
SlaskiD@mydelrybeach.com
561-243-7348

Review Dates:

SPRAB Board:
November 13, 2019

Attachments

1. Site Plans
2. Elevations
3. Landscape Plans



Background:

The subject property consists of the east 135' of lots 1 thru 3 (less the east 10' of Lot 1) of Block 97 of the Highland Park-Delray according to the plat thereof, as recorded in plat book 2, page 79. The 0.41 acres property is located in the CBD (Central Business District) within the Central Core sub-district and has a Future Land Use Map (FLUM) designation of Central Core (CC). The site was developed in 1961 as a gasoline service station. The existing site consists of 8 fueling gasoline stations and a 1,400 sq.ft. building containing a convenience store (592 sq. ft) and two automotive service bays (808 sq. ft.).

On August 15, 2011 the Planning & Zoning Board considered and approved the conditional use modification request to allow conversion of the two service bays to retail use for expansion of the existing convenience store. At its meeting of October 12, 2011, the Site Plan Review and Appearance Board (SPRAB) approved the associated Class III Site Plan Modification to allow the use conversion of the two automotive service bays to retail use for the interior expansion of the existing convenience store.

At its meeting of October 23, 2013, The SPRAB approved a two-year extension request for the Class III Site Plan modification, which expired on April 12, 2015. A permit was never submitted for the approved conversion and, consequently, the extended approval expired. The property is under code enforcement action (since November 2015) for converting the service bays into additional convenience store floor area without the submittal of a site plan application and the approval of a building permit.

Project Description:

The proposed Class III Site Plan Modification is for the use conversion of the two automotive service bays to retail use for the interior expansion of the existing convenience store and associated site improvements at an existing gasoline station. The subject property has a Future Land Use Map designation of CC (Commercial Core), and a zoning designation of CBD (Central Business District). The primary use is a gasoline station, which is listed as a Conditional Use in the CBD district per LDR Section 4.4.13 (D)(5). Although gasoline stations are not allowed on primary streets within the CBD, the established gasoline station is considered an existing nonconformity; the use under expansion is a retail/commercial use, which is allowed in the CBD. The proposed interior modifications and the façade changes to accommodate the use conversion will not disturb the existing building footprint. Site improvements include reconfiguring the parking tier, eliminating an existing, nonconforming vehicular access, and upgrades to the site landscaping and lighting. The proposed modifications do not significantly impact the existing site, as an increase in the existing floor area is not proposed and modifications to the primary use (gasoline station) are not proposed.

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.

Establishment of the Proposed Use/ Certificate of Occupancy:

Per LDR Section 2.4.6(C), a certificate of occupancy is required prior to the establishment of use on any site or occupancy of a structure. Prior to issuance of an occupancy permit, all conditions and requirements associated with this development approval shall be met.

Section 4.3.3, Special requirements for specific uses-Convenience Mart:

Pursuant to LDR Section 4.3.3(J), a gasoline station is any establishment at which the sale and delivery of fuel to a motor vehicle occurs.

The proposed land use will change from a gasoline service station to a gasoline convenience mart. Pursuant to LDR Section 4.3.3(J)(2), Convenience Mart (gasoline station with food sales), is defined as a gasoline station which also sells foods and convenience items and does not accommodate repair or installation services and where the sale of food and convenience items is secondary to the use as a gasoline station.

Pursuant LDR Section 4.3.3(J)(5), the following development standards depicted on the table below apply to sites upon which a Convenience Mart gasoline station is to be located.



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Standard	Convenience Mart	Provided/Existing
Minimum Lot Area	15,000 Square Feet	17,921 sf
Minimum Frontage	150 Feet	125' along NE 5 th Ave – existing non-conformity
Driveways	There shall be no more than two (2) curb-cuts to any abutting street with a minimum distance of twenty-five feet (25') between curb-cuts. Curb-cuts shall not have a width exceeding thirty-five feet (35'), exclusive of transitions. Curb-cuts shall not be located closer than twenty-five feet (25') to the intersection of the ultimate right-of-way lines at a corner nor closer than fifteen feet (15') from any abutting property line or alley.	<i>Compliance with driveway requirements is further analyzed below under the Supplemental District Regulations section of this report.</i>

Pursuant LDR Section 4.3.3(J)(6), the following standards apply to gasoline stations:

- (a) **Gasoline dispensers, tanks, dispenser islands, and canopies shall not be located closer than 15 ft. from any property line. When property directly abuts residentially zoned property, gasoline dispensers, tanks, dispenser islands and canopies, signs, or vents shall not be located closer than 40 ft. from the property line abutting the residentially zoned property.**

The proposed tanks, canopies and dispenser islands exceed 15. ft from the nearest property line on all four sides. The closest distance of the existing canopy to the property line is along (front) SE 5th Avenue, which is 16 ft. from the property line. The subject parcel does not abut any residentially zoned property.

- (b) **All storage tanks shall be underground.**

The existing storage tanks are located underground.

- (c) **Lift and repair facilities shall be located within a structure.**

The existing repair facility is being converted to a convenient store; therefore, there will be no lift and repair facilities on site.

- (d) **Vending machines are to be located under roof and screened on three sides. Racks containing cans of lubricating oil may be displayed on service islands. Racks or pedestals used for the display of tires shall be located along any side (as opposed to front) of a structure.**

There will be no vending machines or tire sales outside. However, propane tanks stored in cages are proposed along the rear of the building (west side), adjacent to the parking lot. Per LDR Section 4.6.6(E)(2), Outside Storage, materials and equipment stored outside must be screened from view from public rights-of-ways in a manner approved by the Site Plan Review and Appearance Board. The tanks/cages will be screened from NE 4th Street by the proposed parking lot, bake racks, and the landscaping adjacent to the subject right-of-way.

LDR Section 4.4.13 (D) – Central Business District Design Guidelines:

The following table indicates that the proposal meets the requirement as they pertain to the Central Core sub-district of the CBD District. Pursuant to Figure 4.4 13-5 (Central Core Regulating Plan), NE 5th Avenue is classified as a Primary Street and NE 4th Street is classified as a Secondary Street. All development standards will apply as shown below:

	NE 5 th Avenue (Primary/Front)		NE 4 th Street (Secondary/Side)	
	Front Requirement	Provided	Side Requirement	Provided
Setbacks	10' min. / 15' max.	16'* Canopy	0'	65'-9"
Building Frontage Required on Primary Streets	75% min./ 100% max	0%*	0% min./ 100% max	0%

* This condition is considered nonconforming and will not be further impacted by the redevelopment of the site.

Minimum Streetscape Width:

Pursuant to **LDR Section 4.4.13(E)(2)(a)**, the combination of public sidewalk (typically located within the right-of-way) and hardscape (located in front setback areas, which includes side setback areas facing streets) shall provide a minimum streetscape area no less



than 15' in width, measured from the back of curb. The streetscape area provided, shown on the site plan and landscape plan, is as follows:

Streetscape Standards	Minimum Standard	Proposed	
		NE 5th Avenue	NE 4th Street
Curb Zone	4'0"	4'0"	4'0"
Pedestrian Zone	6'0"	6'0"	6'0"
Remaining Front Setback Area	5'	13.5 ft.to canopy	63'-2"
Total Streetscape Width	15'	23'-5"	73'-2"

*A portion (2.5 ft.) of the required pedestrian clear zone encroaches onto the property. A perpetual sidewalk easement shall be processed and accepted by the City Commission prior to issuance of a building permit.

Pursuant to **LDR 4.4.13(E)(2)(a)(2), Streetscape Standards Pedestrian Clear Zone**, a pedestrian clear zone at least six feet wide shall be provided on all streetscapes. Any portion of the pedestrian clear zone within the front setback area shall be improved as an extension of the public sidewalk and shall match the public sidewalk in design and material, providing a seamless physical transition. The property owner shall also be required to enter into a maintenance agreement, in a form acceptable to the City Attorney, requiring the property owner to be responsible for and maintain any improvements made or installed by the owner to meet the requirements of this section. Therefore, a Perpetual Sidewalk easement for the 2.5' feet located within the property on NE 5th Avenue and NE 4th Street is required. This required legal instrument must be accepted by the City Commission and recorded prior to the issuance of a building permit.

Parking:

Pursuant to LDR Sections 4.4.13(L) retail and commercial shall provide 1 space per 500 square feet of gross floor area. The convenience store has a total of 1,400 sq. ft. of gross floor area. Thus, a total of three parking spaces are required for the 1,400 sq. ft. of use area ($1,400/500 = 2.8$ rounded up to 3 spaces) and three parking spaces are proposed. Therefore, this standard is met.

Handicap Parking Spaces:

Per the Americans with Disability Act (ADA), parking lots with 1 to 25 spaces are required to provide a minimum of one accessible parking space. The proposal provides one space; thus, this requirement is met.

Bicycle Parking:

Per LDR section 4.4.13(l)(4)(3), bicycle parking requirements are applied to new development, expansion of an existing use, and changes of use. The requirement for the minimum number of bicycle parking spaces for retail and commercial uses is two spaces per 1,000 sq. ft. of gross floor area. The proposed convenience store is required to provide three bicycle parking spaces ($1,400/1,000 \times 2 = 2.8$ rounded to 3 parking spaces). The addition of four bicycle parking spaces is proposed to be located to the north of the convenience store customer entrance. Thus, this LDR requirement has been met.

LDR Article 4.6 – Supplemental District Regulations:

Refuse Disposal:

Pursuant to LDR Section 4.6.6(C)(1), dumpsters, recycling containers and similar service areas must be enclosed on three sides with vision obscuring gates on the fourth side, unless such areas are not visible from any adjacent public right-of-way. The existing dumpster is located at the rear of the property, on the southwest side. The existing dumpster is enclosed on three sides, screened with landscaping on two sides, and a vision obstructing gate on the fourth side is provided. Therefore, the existing refuse disposal complies with this requirement.

Lighting:

On-site lighting must be provided and be consistent with the minimum and maximum foot candle illumination level requirements. The chart below demonstrates compliance with the minimum acceptable standards for lighting pursuant to LDR Section 4.6.8(B)(3)(c):

Photometric Plan	Requirements		Proposed	
	Min. (fc)	Max. (fc)	Min. (fc)	Max. (fc)
Canopy, Drive-thru and Overhangs	3	30	13.0	24.2
Commercial and Industrial Parking Lot	1	12	1.3	9.1
Building Entrances	1	10	1.75	3.1



The maximum height for freestanding light poles is 25' and the proposed light poles measure 20' high from finish grade. Therefore, the proposal complies with these requirements. However, listed as a requirement in the notes section of this report, the manufacturing details for the proposed light fixtures shall be provided in accordance with the requirements listed in LDR Section 4.6.8, prior to certification of the plans. The proposed perimeter fixtures shall be sharp cutoff luminaries, shall confine the light to the site only.

Dead-end-Parking Bay:

Pursuant to LDR Section 4.6.9(D)(4)(c), dead-end parking bays are discouraged, but when site conditions dictate that there be dead-end parking bays, they shall be designed so that there is a 24 ft. wide by 6 ft. deep maneuvering area at the end of the bay. The maneuvering area shall not encroach upon the required landscape areas. The applicant is proposing a dead-end parking bay to accommodate the required parking spaces for the proposed use conversion and the landscape requirements. The proposed maneuvering area located at the end of the bay measures 24 ft. wide by 6 ft. deep; thus, this requirement is met.

LDR Article 5 – Subdivision Regulations:

Right-of-Way Dedications:

The property is located on the southwest corner of NE 4th St. and NE 5th Ave. The following chart pertains to the subject street network classification and their existing, required and provided right-of-way (ROW) width and the corner clip right-of-way dedication requirement (for properties located in the CBD) per LDR Section 5.3.1(D)(2) and (3) and the Comprehensive Plan Table T-1:

	Street Classification	Jurisdiction	Existing ROW	Required ROW	Required Dedication
NE 4th Street	Collector	City	50'	80'	Reduction granted from 15ft to 5ft.
NE 5th Avenue	Minor Arterial	State	60'	60'	Requirement met
SW Intersection	N/A	N/A	0'	20'x20' corner clip	20'x20' corner clip

Since insufficient right-of-way exists on NE 4th Street, additional right-of-way must be dedicated or a right-of-way reduction request must be approved. On July 21, 2011 the City Engineer determined that a five-foot right-of-way dedication is required and a 10' right-of-way reduction is supported, per LDR Section 5.3.2(D)(5). This will allow a minimum of 60' of right-of-way to be maintained along NE 4th St.

In addition, a 20' corner clip right-of-way dedication is required at all intersections in the CBD, pursuant to LDR Section 5.3.1(D)(3). On July 21, 2011 the City Engineer determined that a 20' right-of-way corner clip is required to accommodate the existing sign, landscaping, and lighting located within the 20' x 20' corner clip triangle. The corner clip must be measured from the existing right-of-way lines. Such dedications can be processed through a Right-of-Way Deed. The required deeds must be accepted by the City Commission and recorded with the Palm Beach County Clerk's Office prior to the issuance of a building permit. Upon recordation of all documents, the proposal will comply with the subject dedication requirements.

LDR Article 6 – Infrastructure and Public Property:

Drive Aisle Widths:

Pursuant to LDR Section 6.1.4(C)(2)(a), points of ingress and egress to gasoline stations are allowed up to a maximum of 36'. Along NE 5th Avenue, the northern driveway is proposed to be eliminated, and the southern driveway width is proposed to be decreased from approximately 48' wide to 26' wide (two-way ingress and egress access) to meet current regulations. The existing point of ingress and egress along NE 4th Street is 30' wide and is not proposed to be modified. Thus, the proposal meets this requirement.

Drive Aisle Distance from Major Intersections:

Pursuant to LDR Section 6.1.4(C)(3)(b)(1), no driveway shall be located within 25' of the street intersection. The elimination of the existing northern driveway along NE 5th Avenue will eliminate an existing non-conformity to this requirement. Upon improvements, the distance from SE 4th St. and SE 5th Ave. intersection to the proposed drive aisles will exceed the minimum requirement of 25'. Thus, this condition is met.

**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 Section 4.6.16 shall be assured through the review and approval of a landscape plan submitted pursuant to Section 2.4.3 (C). A landscape plan has been submitted and evaluated by the City Senior Landscape Planner. The following description summarizes the landscape plan:

Species Summary and Location:

A variety of trees, plants and groundcover materials are employed to enhance the existing gasoline station. The varieties of species to be utilized include: Pigeon Plum trees and Green Island Ficus ground covers are proposed to be installed along the east (NE 5th Avenue) and north (NE 4th Street) perimeter of the property. Japanese Blueberry Standard trees, Green Cocoplum shrubs are proposed on the south side of the property. The existing Black Olive, Sabal Palms on the west side of the property (rear) will remain and additional landscaping is proposed to enhance the existing buffer. A variety of shrubs and ground covers will be installed around the monument sign (proposed to be relocated) located on the corner of NE 5th Avenue and NE 4th Street. The execution and recordation of a Landscape Maintenance Agreement is required for the installation and maintenance of the proposed vegetation within the City of Delray Beach right-of-way (NE 4th Street). This agreement must be accepted by the City Commission and recorded prior to the issuance of a building permit.

Architectural Elevations Analysis:

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 (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.*

Minor architectural elevation changes to the existing masonry modern building will include the installation of new doors on the south and west elevations to accommodate side and rear access for loading and unloading. Modifications to the east elevation, which faces NE 5th Avenue, include the removal of the overhead garage doors and replacement with stucco finish to match existing façade color (white with a gray accent on the lower portion of the wall). New storefront windows will be installed to match the existing windows. Blue rectangular shed style awnings will be installed above all the openings located on the east and north elevations. The awnings will be cantilevered and project 3 ft. from the building, while maintaining a clearance height of 9 ft. Along the north façade, two shed style awnings above the existing openings will be introduced. There will be no change to the existing color scheme. Based upon the above, the proposal will contribute to the image of the City and is in harmony with the existing development and neighborhood.

Required Findings:

Pursuant to LDR Section 2.4.5(G)(1)(c) Class III Site Plan Modification, a modification to a site plan which represents either a change in intensity of use, or which affects the spatial relationship among improvements on the land, requires partial review of Performance Standards found in LDR Sections 3.1.1, and 3.2.3, as well as required findings of LDR Section 2.4.5(G) (5).

LDR Section 2.4.5(G)(5):

Pursuant to LDR Section 2.4.5(G)(5), a finding that the proposed changes do not significantly affect the originally approved plan must be made concurrent with approval of a Class III modification.

The existing 1,400 sq.ft. building contains an existing 592 sq. ft. convenience store and two automotive service bays (808 sq. ft.). The request is for the conversion of the two existing automotive service bays (legally nonconforming use) into a retail use to serve as an interior expansion of the existing convenience store within the established gasoline station. The proposed interior modification will not disturb the existing building footprint. Along with the use conversion, site improvements such as reconfiguring the parking tier, eliminating an existing, nonconforming vehicular access, and upgrades to the landscaping and lighting are proposed. The existing



overhead doors that face NE 5th Avenue are proposed to be removed and replaced with a new glazing storefront with blue standard awnings above each opening. Pursuant to LDR Section 2.4.5(G)(5), this modification does not significantly impact the existing site, as an increase in the existing floor area is not proposed, modifications to the primary use of a gasoline station are not proposed, and the proposed site modifications will eliminate existing site and use nonconformities without disturbing the functionality of the existing gasoline station.

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 (B) - FUTURE LAND USE MAP: The use or structures must be allowed in the zoning district and the zoning district must be consistent with the land use designation).

The subject property has a Future Land Use Map designation of CC (Commercial Core), and a zoning designation of CBD (Central Business District). The CBD zoning is consistent with the Commercial Core FLUM designation. The primary use is that of a gasoline station, which is listed as a Conditional Use in the CBD district per LDR Section 4.4.13 (D)(5). Although gasoline stations are not allowed on primary streets within the CBD, the established gasoline station is considered an existing nonconformity. In addition, the use under expansion is that of retail/commercial use, which is allowed in the CBD.

LDR Section 3.1.1(B) - Concurrency: Refer to Appendix A, as it relates to water, sewer, streets and traffic, parks and recreation, and solid waste.

Section 3.1.1 (C) - Consistency (Standards for Site Plan Actions): A review of the objectives and policies of the adopted Comprehensive Plan was conducted, and the following applicable objective was found."

LDR Section 3.1.1(D) - Compliance with the Land Development Regulations: Refer to the Analysis sections of this report, regarding compliance with the LDRs.

Comprehensive Plan Policies: A review of the objectives and policies of the adopted Comprehensive Plan was conducted, and the following objective is 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 following zoning designations and uses are abutting the subject property:

	Zoning Designation:	Use:
<i>North:</i>	CBD	Commercial Building
<i>South:</i>	CBD	Recreational Establishment
<i>East:</i>	CBD	Business Office
<i>West:</i>	CBD	Auto Broker

The proposed use conversion will not disturb the existing building footprint and the proposed use (retail) is allowed in the CBD. There are no special physical or environmental characteristics of the land that would be negatively impacted by the proposed interior modification and site improvements, and the proposed/existing land use is compatible and with adjacent land uses. The subject property is bordered to the north, south, east, and west by CBD zoned properties. The existing land uses are office, retail, service facilities, auto broker and a recreational establishment (mini golf) as indicated in the chart above. Compatibility with the adjacent uses is not a concern as they are all of similar intensity.



Review by Others:

Downtown Development Authority:

At the meeting of September 12, 2011, the DDA (Downtown Development Authority) recommended approval of the proposal.

Community Redevelopment Agency:

At its meeting of June 23, 2011, the CRA (Community Redevelopment Agency) recommended approval of the proposal.

Courtesy Notices:

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

- Pineapple Grove
- Del-Ida Park

Letters of objection and/or support, if any, will be presented at the Board meeting.

Utility Providers:

- Pursuant to 2.4.2 (C)(2)(a), utility providers were notified of the site plan submission and we have not received any objectionable comments to date.



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:

As mentioned, the proposed request is for a use conversion of two service bays to expand the existing convenience store and applicable site improvements. Since the request does not involve the construction of additional buildings, the existing water and sewer on site which service the buildings adequately supply the development. Pursuant to the City's Comprehensive Plan, treatment capacity is available at the City's Water Treatment Plan and the South County Waste Water Treatment Plan for the City at build-out. Upon staff's review of the plans, positive findings can be made with respect to this level of service standard.

- Water service is existing on site via an existing 12" water main.
- Sewer service is existing on site via an existing 12" sanitary sewer.

Streets and Traffic: A traffic study submitted indicates that the proposed use conversion will generate less than 20 gross peak hours trip. A positive finding of concurrency has been received from the Palm Beach County Traffic Division.

Parks and Recreation Facilities: Park dedication requirements do not apply for non-residential uses. Thus, the proposed development will not have any impact with respect to this standard.

Solid Waste: The proposed use conversion of 808 sf. of automotive service to convenience store will have an increase of 0.37 tons of solid waste per year. The Solid Waste Authority has indicated that its facilities have sufficient capacity to handle all development proposals till the year 2048.

Previous Use:

Service/ Maintenance Shop: 808 sq. ft. x 9.3 lbs. = 7,514.4 lbs. /2,000 = 3.75 tons per year

Proposed Use:

Retail/ Convenience Store: 808 sq. ft. x 10.2 = 8,241.6 lbs. /2,000 = 4.12 tons per year

Drainage: Drainage will be accommodated on site. There are no problems anticipated to bring the site into compliance with South Florida Water Management District (SFWMD) requirements in efforts to obtain a surface water permit. Drainage will be accommodated on site. No problems for adjacent properties are anticipated with respect to drainage as it relates to this standard.

**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