



# DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

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: December 11, 2019

File No.: 2019-256-SPF-SPR-CLIII

Application Name: Pierre Delray Phase I (SunTrust Bank)

### General Data:

**Applicant:** Pierre Delray One, LLC.

**Agent:** Bonnie Miskel, Esq., Dunay, Miskel & Backman, LLP

**Location:** 302 E. Atlantic Avenue

**PCN:** 12-43-46-16-01-093-0010

**Property Size:** 0.1809 Acres

**FLUM:** Commercial Core (CC)

**Zoning:** Central Business District – Central Core (CBD)

### Adjacent Zoning:

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

**Existing Land Use:** Bank

**Proposed Land Use:** Bank/Retail/Office

**Proposed Floor Area Ratio:** 1.79

**Maximum Floor Area Ratio:** 3.0

### Item before the Board:

The action before the Board is for the approval of a Class III Site Plan modification for Pierre Delray I (SunTrust Bank) pursuant to LDR Section 2.4.5 (G)(1)(c) and Section 3.1.1, including the following:

- ☐ Site Plan
- ☐ Landscape Plan
- ☐ Architectural Plan



### Optional Board Motions for Action Items:

1. Move to continue with direction
2. Move approval of the Class III (2019-256) Site Plan modification, Landscape Plan, Architectural Elevations for Pierre Delray Phase I located at 302 E. Atlantic Avenue as amended, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations.
3. Move denial of the Class III (2019-256) Site Plan modification, Landscape Plan, Architectural Elevations for Pierre Delray Phase I located at 302 E. Atlantic Avenue, by finding that the request is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in the Land Development Regulations.

### Notes:

1. Provide a recorded Pedestrian Clear Zone agreement prior to building permit issuance.
2. Provide a recorded hold harmless agreement for the roof parapet extension, structural column, and the awnings that encroach into the public ROW prior to building permit issuance.
3. Provide the Utility provider responses prior to site plan certification.
4. Provide a recorded maintenance agreement for the bicycle rack in the curb zone adjacent to the subject site prior to

### Project Planner:

Kent Walia, AICP, Senior Planner  
[walia@mydelraybeach.com](mailto:walia@mydelraybeach.com)  
561-243-7365

### Review Dates:

SPRAB Board:  
December 11, 2019

### Attachments

1. Site Plans
2. Landscape Plans
3. Architecture Plans



building permit issuance.

5. Update the note on sheet A4 to include the City Standard “Acorn” double light pole across SE 3<sup>rd</sup> Street as part of the scope of work for Pierre Delray I prior to site plan certification.
6. Update the applicable plan sheets to show the bicycle racks spaced further a part to accommodate parallel placement of bikes to Atlantic Avenue prior to site plan certification.
7. Prior to site plan certification include the curb cut ramp shown on sheet C-301 on all other applicable civil and architectural plan sheets.
8. The curb cut ramps and the bollards located at the southeast corner of the intersection of SE 3<sup>rd</sup> Avenue and Atlantic Avenue shown on sheet C-301, shall be finalized with the City Engineer prior to building permit issuance.
9. Prior to building permit issuance, the photometric calculations shall be finalized with the City Engineer.

**Project Summary:**

The subject property is zoned Central Business District (CBD) and is in the Central Core Sub-district. The 0.1809-acre site is located at 302 East Atlantic Avenue, which is at the southeast corner of the intersection of East Atlantic Avenue and SE 3<sup>rd</sup> Avenue. The proposed Class III Site Plan modification is associated with façade improvements, a square foot increase on the first floor, a new roof, site lighting, and utility improvements in the public Right-Of-Way (ROW). The façade improvements include new modern storefront glazing, a color change, new awnings, new LED lights, and a reconfigured roof parapet. The building increase on the first floor proposes the conversion of the existing arcade area into additional square footage. The façade improvements intend to transform the existing building design into contemporary masonry modern design. The utility improvement consists of the removal and replacement of sanitary sewer and drainage infrastructure, water supply and fire service lines, exfiltration and storm structures to improve the utilities on site and in the area. The utility improvement will be located in the public ROW adjacent to the property along SE 3<sup>rd</sup> Avenue and the alleyway.

**Background:**

The 0.1809-acre subject site is situated on Lot 1, of block 93 of the Re-Subdivision of Block 93 plat in Palm Beach County Plat book 10, page 53. The property is located at southeast corner of the intersection of East Atlantic Avenue and SE 3<sup>rd</sup> Avenue. The site contains a two-story 14,357 gross square foot (gsf) bank/office building. The following is a timeline of actions involving the site:

- Palm Beach County Property Appraiser records indicate that the building was constructed in 1929.
- On July 21, 2006, the Planning & Zoning Department administratively approved a Class 1 Site Plan modification (2006-376) associated with the installation of replacement light fixtures and poles.
- On November 17, 2010, the Planning & Zoning Department administratively approved a Class 1 Site Plan modification (2010-086) for the installation of railing and sloped pavement at the front entrance of the building to meet ADA requirements.
- On February 15, 2011, the City Commission approved a conditional use application (2010-212) to allow Unity Parking Systems, Inc. to manage and operate a “For Pay” parking lot at the southwest corner of East Atlantic Avenue and SE 3<sup>rd</sup> Avenue (across the street from the subject site).
- On February 13, 2013, the Site Plan Review and Appearance Board (SPRAB) approved the Class I Site Plan modification (2013-089) associated with the addition of new impact resistant windows on the interior side of the building annex. The building annex is the building that is connected to the subject building by an aerial bridge.
- On October 27, 2014, the Planning & Zoning Department administratively approved the Class I Site Plan modification (2014-256) associated architectural elevation changes consisting of the installation of impact windows, and relocation of window openings.
- On February 6, 2019, the Development Services Department administratively approved the Class I Site Plan Modification (2019-086) associated with the installation of an ATM machine and modifications to the photometric plan to accommodate to an ATM machine.



- On November 13, 2019, the Site Plan Review and Appearance Board (SPRAB) voted 6 to 0 (Andrea Sherman was absent) to recommend approval to the City Commission for the waiver from LDR Section 4.4.13 (E)(4)(e)1.,a., Table 4.4.13(I) "Dimensional Requirement for Storefronts", Line A, to allow a seven-foot, ten-inch (7'-10") storefront setback at the north side of the building in lieu of the ten-foot (10') minimum required setback for the proposed site plan modification for the Pierre Delray I building (SunTrust Bank) located at 302 E. Atlantic Avenue.
- The City Commission will consider the setback waiver at its meeting of December 10, 2019. The results of the City Commission action will be reported to the SPRAB on December 11, 2019. The waiver requested is for the reduction of the minimum required storefront setback from 10' to 7'-10". The reduction will allow for the expansion of the ground floor space into the existing arcade area with a new storefront design. It is important to note, that the plan proposes to connect the existing columns to new facade wall. The connecting of the storefront to the back of the existing columns will result in a 2'-8" encroachment into the required 10' front setback. The proposed site plan provides a streetscape width of 15' between the columns and 12'-7" at the face of the existing columns. The proposed waiver request would remove the non-conforming arcade but would create a non-conforming front setback (7'-10" in lieu of 10' required). It is important to note that the existing building has non-conforming side and rear setbacks.

### **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.*

#### **Central Business District (CBD)**

- Pursuant to LDR Section 4.4.13(A), **Purpose and intent for the CBD**, *The Central Business District (CBD) Zone District is established in order to preserve and protect the cultural and historic aspects of downtown Delray Beach and simultaneously provide for the stimulation and enhancement of the vitality and economic growth of this special area.*

#### **Central Core Sub-District:**

Pursuant to LDR Section 4.4.13 (A)(1) **Central Core**, *The regulations are intended to result in development that preserves the downtown's historic moderate scale, while promoting a balanced mix of uses that will help the area evolve into a traditional, self-sufficient downtown.*

- The subject site is located in the CBD Central Core Zoning district, within the Atlantic Avenue Limited Heights overlay, on a Required Retail corridor. The proposal includes façade modifications to an existing two-story concrete building that was constructed in 1929. Records indicate that the building has functioned as a financial institution (bank) since it was constructed. The proposal to add retail use space to the existing financial institution use provides a mix of uses component to the central core. The plans provided show that the building's overall scale would remain the same in regard to height and width, except for a minor 365 sf +/- infill addition of the first floor. The façade improvements include new modern storefront glazing, a color change, new awnings, new LED lights, and a reconfigured roof parapet. The proposed façade improvements are intended to transform the existing building design into a masonry modern design. The proposed design intends to update the existing architecture, into a more modern designed building with a ground floor storefront depth that is more compatible with other storefronts along the corridor.

Pursuant to LDR section 4.4.13 (B) **Regulating Plans**, *The Delray Beach Central Business District (CBD) regulating plans depict additional information necessary to apply the standards contained in this Section and are hereby officially adopted as an integral part of these regulations.*

- According to the Central Core regulating plan Figure 4.4.13-5, the subject site is located in the **Atlantic Avenue Limited Height Area** (the Limited Height Area), **Atlantic Avenue Parking district**, which requires **Retail Frontage** and is along a **Primary street**. The existing building, which was built in 1929, pre-dates the LDR and the regulating plans. The proposed site plan modification is associated with façade and site improvements.
  - The Atlantic Avenue Limited Height area within the CBD Central Core limits building height to three-stories and 38' for properties, or portions of properties, located within 125 feet north or south of the



East Atlantic Avenue right-of-way line, between Swinton Avenue and the Intercoastal Waterway. The existing building height complies with the regulating plan.

- Pursuant to LDR Section 4.4.13 (C)(3)(a)2., Required Retail Frontage requires that properties on designated streets (i.e., Atlantic Avenue) provide retail use on the sidewalk level that have a storefront or arcade front, an individual commercial space width not to exceed 75', the depth of retail space of at least 20'. The plans show that the building will have retail use on the ground floor with a storefront façade, a width of 58', and a retail space depth of approximately 130'.
- The Atlantic Avenue Parking district is a designated area on the regulating plan that requires increased parking spaces for restaurant and lounge uses within the CBD Central Core. Since the plans provided indicate that the entire building will be used for retail and office use, the requirements of the aforementioned regulating plan are not applicable.
- The regulating plans require that Primary Streets have superior pedestrian environments and, as such, are held to higher standards in the regulations regarding building placement, building frontage, and the location of parking and service uses. The plans provided show that the building will provide retail and financial institution office space along Atlantic Avenue, a primary street, in compliance with regulation plan.
- The plans show that the building will be oriented facing Atlantic Avenue, that ground floor will have retail frontage, and that the site includes a 15' wide streetscape along a primary street. Thus, the proposed designed complies with the aforementioned regulating plan requirement.

#### Base District Requirements:

#### LDR sections 4.4.13 (D), Table 4.4.13 (B), and 4.3.4 (K) Development Standards Matrix

| <u>Zoning</u>                                   | <b>Required / Allowed</b> | <b>Provided</b> |
|-------------------------------------------------|---------------------------|-----------------|
| <b>Central Business District – Central Core</b> |                           |                 |
| Lot Frontage (Min./Max)                         | 75% / 100%                | Approx. 96.3%   |
| Lot Width (Min.)                                | 20'                       | 58'             |
| Lot Area (Min.)                                 | 2000 sf                   | 7,880           |
| Open Space (Min.)                               | 0%                        | 0%              |
| Height (Max.)                                   | 38'                       | 29'             |
| Stories (Max.)                                  | 3                         | 2               |
| Ground Floor Height (Min.)                      | 12'                       | 11'-2" *        |
| Setbacks (Min.):                                |                           |                 |
| <b>Front (South)</b>                            | 10' (min) / 15' (max)     | 7'-10" **       |
| <b>Side Street (West)</b>                       | 10' (min) / 15' (max)     | 0'***           |
| <b>Side Interior (East)</b>                     | 0'                        | 0'***           |
| <b>Rear (North)</b>                             | 10'                       | 0'***           |

\* The 11'-2" ceiling height listed is 10" less than the 12' minimum required. The existing ceiling height predates the LDR requirement and is an existing non-conforming condition.

\*\*The applicant submitted a waiver request that will be considered by the City Commission on December 10, 2019, to reduce the storefront (front) setback from 10' to 7'-10" in order to increase the square footage on the ground floor and replace an existing arcade.

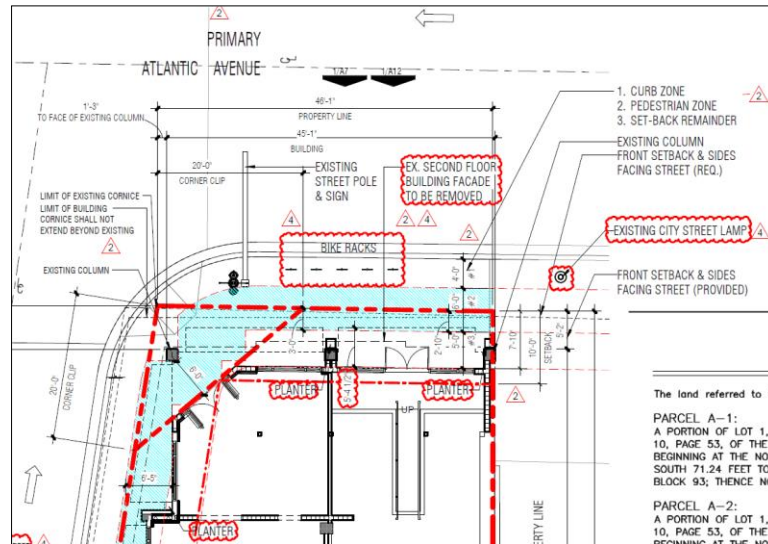
\*\*\*The building which has existed since 1929, has an existing non-conforming rear, side street, and front setback. LDR Section 1.3.5 (B)(1) says that "a nonconforming structure shall not be altered or enlarged in any way which increases its nonconformity, vertically or horizontally. Enlargement or alteration of the structure in a way that complies with applicable dimensional standards and does not create any new nonconformity, or alteration of the structure in a way that decreases the degree of nonconformity, is permitted.





Pursuant to LDR section 4.4.13 (E)(2) **Minimum Streetscape Width**, the combination of public sidewalk (located within the right-of-way) and hardscape (located in front setback areas) shall provide a minimum streetscape area no less than 15 feet in width, measured from the back of curb.

- Pursuant to LDR section 4.4.13 (E)(3)(a)1., the **curb zone** shall be at least 4' in width and shall accommodate street, and public infrastructure needs such as utility poles, streetlights, street signs, parking meters, etc. The plans provided show an existing 4' curb zone with streetlights and traffic signage.
- Pursuant to LDR section 4.4.13 (E)(3)(a)2., the **pedestrian clear zone** shall be at least 6' feet wide and provide clear adequate walking space. The plans show a 6' wide pedestrian clear zone is provided. It's important to note that a "Pedestrian Clear Zone" agreement would be required prior to building permit issuance for the portion of the property being dedicated for perpetual sidewalk use in order to ensure that area would remain clear of obstructions. The dedication would be made for the portion of the clear zone that encroaches on to private property.
- Pursuant to LDR section 4.4.13 (E)(3)(a)3., the **remaining front setback area** shall be the remainder within the minimum 15' streetscape width to accommodate hardscape design features. Hardscape features can include outdoor dining areas or landscape features such as potted plants. The plans provided show a paved 5' remaining front setback between the columns for an additional sidewalk area, and landscape planters near the columns. If the waiver is granted, the available 16' of paved walking area which exists from the property line to the existing building façade underneath the arcade would be reduced to 7'-10" by the proposed expanded storefront area. The waiver, upon the discretion of the City Commission, would reduce the available walking area by 8'-2".



Pursuant to LDR Section 4.4.13 (E)(4)(e) **Storefront**, is a frontage type along sidewalk level of the ground story, typically associated with commercial uses. Storefronts are frequently shaded by awnings or arcades.

- The project is proposing a revised storefront system for the entire building. The storefront on the ground floor on the north and west elevations are required to comply with Dimensional Requirements for Storefront listed in LDR Section 4.4.13 (E)(4)(e)1., a, Table 4.4.13 (I), A. The following is a matrix demonstrating compliance with the aforementioned LDR Section:

**Dimensional Requirements for Storefront Table 4.4.13 (I)**

|                   | Minimum | Maximum                    | Provided                            |
|-------------------|---------|----------------------------|-------------------------------------|
| Building Setback  | 10'     | 15'                        | 7'-10" (North)*, 6" – 6'-3" (West)* |
| Store Width       | N/A     | 75' on Req. Retail Streets | Approx. 62'                         |
| Storefront Base   | 9"      | 3'                         | 9"                                  |
| Glazing Height    | 8'      | -                          | Approx. 9.7'                        |
| Required Openings | 80%     | -                          | 40.15% to 87.92%**                  |
| Awning Projection | 5'      | -                          | 3' (North), 2'-5'-6" (West)***      |



## SITE PLAN REVIEW AND APPEARANCE BOARD STAFF REPORT

\*The applicant submitted a waiver request that will be considered by the City Commission on December 10, 2019, to reduce the storefront (front) setback from 10' to 7'-10" in order to increase the square footage on the ground floor and replace an existing arcade. The varying 6" to 6'-3" storefront setback on the west elevation adjacent to SE 3<sup>rd</sup> Avenue is existing and has remained since 1959.

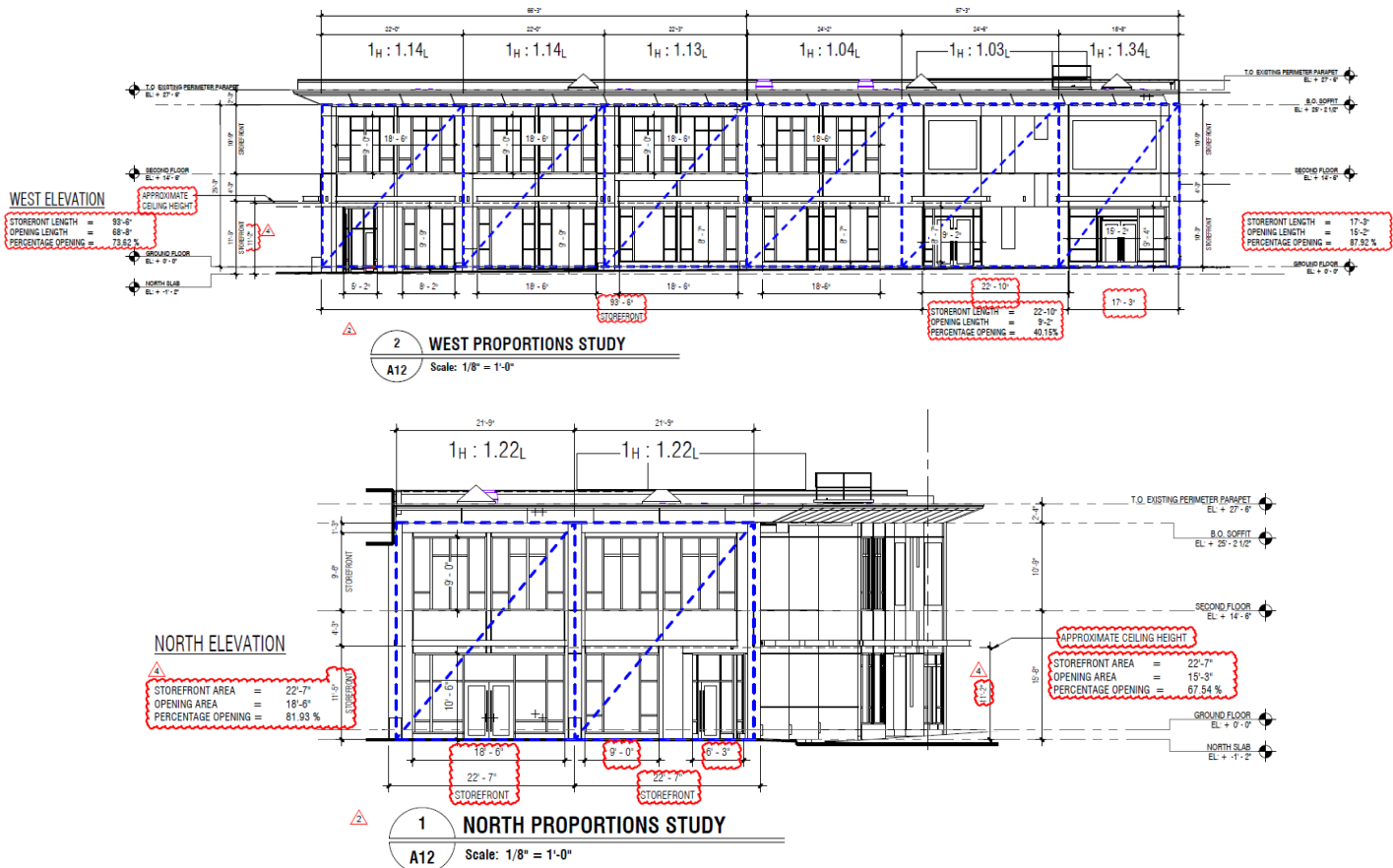
\*\* The proposed design appears to maximize the amount of glazing possible. In some areas, the minimum 80% required openings where not able to be achieved due to non-conforming composition of the building and the structural columns.

\*\*\*The 3' wide awnings located on the bottom of the 2<sup>nd</sup> floor, project 5'-5" from the façade on the ground floor. The awning projection on the west side of the property varies from 2' to 5'-6". Some of the awnings proposed along the west elevation adjacent to SE 3<sup>rd</sup> Avenue are unable to project 5' from the façade due to possible encroachment into the travel lane of the road.

Pursuant to LDR section 4.4.13 (F)(2)(d), **Façade composition compliance**, all development submittals shall provide diagrams and/or documentation to illustrate compliance with the requirements of this Section which includes Building Articulation, Tripartite Composition, and Visual Screening.

Pursuant to LDR section 4.4.13 (F)(2)(a)1., **Building Articulations**, form of a change in building height and building placement shall be incorporated so that building façade proportions do not exceed height to width ratios of 3:1 or 1:3. Building articulations shall be reinforced by changes in roof design, fenestration patterns, or architectural elements

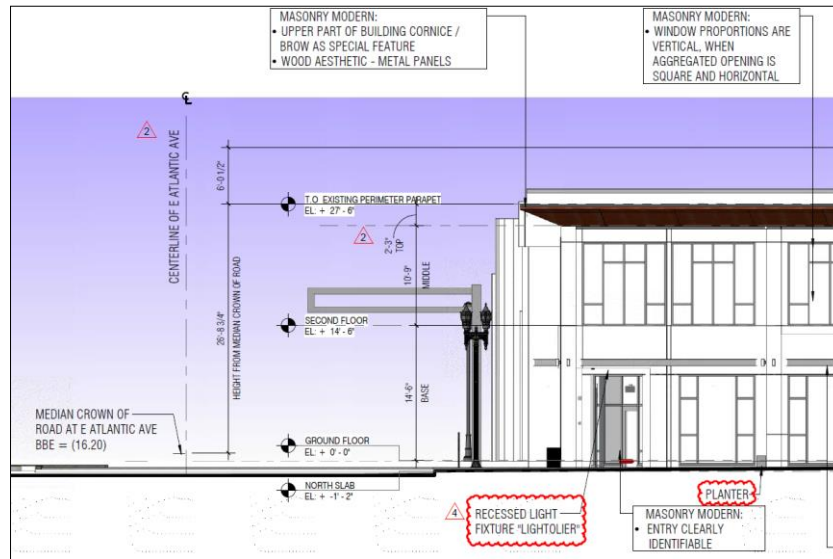
- Sheet A12 shows a building articulation ratio of 1:1.22 on the North elevation, and 1:1.03 to 1:1.34 on the west elevation. The articulation ratio shown is less than what is required in the aforementioned LDR section. It is important to note that the building façade has existed since 1929 and predates the current LDR. The proposed design to retrofit the exterior with a new storefront demonstrates the intent to comply with the ratio specified in the LDR without having to completely change the structural integrity of the building.



Pursuant to LDR section 4.4.13 (F)(2)(b), **Tripartite Composition**, all buildings shall have a clearly expressed base, middle, and top in the façade design.

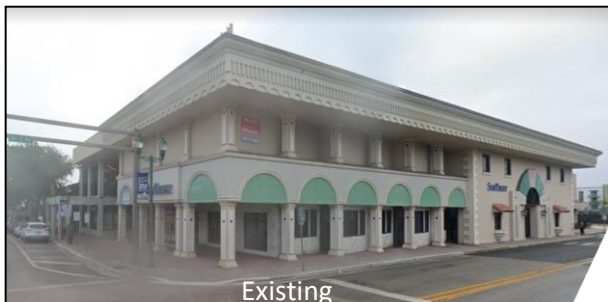
- The LDR requires that all buildings in the CBD have a Tripartite Composition (base, middle, and top). The Class III Site Plan modification proposes façade improvements to a building that was constructed in 1929. The façade improvements include a new modern storefront system that includes a 9" aluminum base, a second-floor middle, and a redesigned contemporary cantilever parapet roof top.

Northwest Elevation



Pursuant to LDR section 4.4.13 (F)(3)(a) **Architectural Styles**, the "Delray Beach Central Business District Architectural Design Guidelines", identifies seven architectural styles as appropriate for downtown Delray Beach. The permitted architectural styles are outlined in the "Delray Beach Central Business District Architectural Design Guidelines" document.

- The Pierre Delray I (SunTrust Bank) has existed since 1929. The existing design predates architect style guidelines listed in the Delray Beach CBD Architectural Design Guidelines (the Design Guide). The proposed "Masonry Modern" retrofit design includes a new storefront glazing for interior views of the building, metal awnings, chamfered roof top cornice act as shading devices for the building, cladded exterior columns that create articulations on the façade, and stucco, tile, and faux wood cladding. The new storefront system includes "Varicon" clear vertical glass glazing with powder coated gray aluminum framing. The awning proposed are pre-engineered aluminum canopies with a color to match the storefront. The exterior stucco wall will be painted with Sherwin Williams "Pure White." The design shows that the roof top cornice will be chamfered and will be cladded with Reynobond "Colonial Red" faux wood finished metal plans. The proposed renovation contain sustainable design practices such as retrofitting of an existing building, skylights to allow natural light and reduce artificial lighting, white wall painting to reflect surface heat, canopies and roof overhangs that would cast shade to reduce surface temperatures, a high efficiency air conditioning unit, and low flow plumbing fixtures.



**CBD Parking Requirements**

Pursuant to LDR Section 4.4.13(l)(2)(d), **Off Street Parking Requirement**, “Properties less than 65 feet in width are not required to provide off-street parking, except for restaurant and lounge uses.”

- The subject site is approximately 60' wide when measured in accordance with LDR Section 4.3.4 (C). Composite Site Plan sheet A4 shows that the project is proposing a financial institution (SunTrust Bank) and retail uses on the ground floor of the building. Since the building is less than 65' in width and has uses other than restaurant and lounge, thus the property is not required to provide parking.

Pursuant to LDR Section 4.4.13(l)(4), Table 4.4.13 (M), **Bicycle Parking Requirement**, the minimum number of bicycle parking spaces for retail uses are 1 space per 1,000 sf, and for Profession Offices 1 space per 2,000 sf.

- The proposed building is 14,357 gsf. The gross square footage is composed of 2,771 sf of retail space, and 11,586 sf of financial institution office space. As such, the retail square footage requires 3 spaces (2,771 sf / 1,000 sf), and the financial institution office square footage requires 6 spaces (11,586 sf / 2,000 sf). As a result, the project is required to provide 9 bicycle parking spaces. Currently, there are no bicycle parking spaces on site. Due to the existing non-conforming site constraints the plans show that the bicycle racks being installed in the 4' curb zone. A note was added to this report requesting that a maintenance agreement for the bicycle rack be provided prior to building permit issuance.

**Supplemental District Regulations:****Lighting:**

Pursuant to LDR section 4.6.8 (A)(3) table 2, **Photometric requirement**, on-site lighting must be provided and be consistent with the minimum and maximum foot candle illumination level requirements. The following chart shows the photometric calculations proposed for the site:

| Photometric Plan                    | Requirements |              | Proposed     |              |
|-------------------------------------|--------------|--------------|--------------|--------------|
|                                     | Minimum (fc) | Maximum (fc) | Minimum (fc) | Maximum (fc) |
| Building Entrance                   | 1.0          | 10.0         | 0.1          | 11.0         |
| Overhang/Canopies (Corner entrance) | 3.0          | 30.0         |              |              |
| Property Line                       | 0.0          | 0.25         | 0.8          | 10.0         |

| Photometric Plan | Required   | Proposed        |
|------------------|------------|-----------------|
| Light Pole       | 25' (Max.) | 10.5' (approx.) |

- The photometric plan sheet A14a provided shows illumination to the center line of SE 3<sup>rd</sup> Avenue and Atlantic Avenue. The light levels provided exceed the minimum light levels required for the building entrances along SE 3<sup>rd</sup> Avenue in order to provide illumination along SE 3<sup>rd</sup> Avenue. Lighting is required along SE 3<sup>rd</sup> Avenue because there are currently no streetlights along the east street adjacent to the building. The existing sidewalk along SE 3<sup>rd</sup> Avenue adjacent to the subject site is approximately 4.5' and cannot accommodate streetlights, so the plans propose wall mounted fixtures to light the building entrances and to illuminate the ROW. The light levels along SE 3<sup>rd</sup> Avenue were increased higher than the minimum required in order to light the portion of the corridor. A note has been added to the staff report requiring that sheet A4 be updated prior to site plan certification to show the City Standard “Acorn” double light pole located across the SE 3<sup>rd</sup> Avenue be provided as part of the scope of work for Pierre Delray 1.

**Landscape Analysis:**

Pursuant to LDR section 4.6.16(B)(4), *to any modification to existing development which results in an increase of 25 percent in the gross floor area of the structure, or structures, situated on the site. In such cases the entire site shall be upgraded to present landscape standard.*

- The proposed project consists of a façade improvement and a 415 sf increase to the ground floor at the north side of the property. The proposed addition does not result in a 25% building increase, therefore additional landscape is not required. However, the plans do propose providing landscape planters with shade tolerant plantings along the north and west elevations of the building in an effort to provide foliage on the lot lacking available open space.



**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.*

- The proposed Class III Site Plan modification features aesthetic changes to the architectural elevations of an existing building, a ground floor building expansion, and offsite utility improvements. The architectural elevation changes include the addition of new storefront framing and glazing on north and west facades, modern metal awnings, and a 415 sf ground floor addition on the north side of the building that received a front setback variance. The proposed façade improvements intent is to transform the building's appearance to a "Masonry Modern" building. The neighboring properties along E. Atlantic Avenue feature a combination of old, redesigned, and new buildings that create diverse structures along the corridor. The architecture of the neighboring buildings are composed of Florida Vernacular, Mediterranean Revival, Classical Traditional, Masonry Modern and Main Street Vernacular designs. The buildings along the corridor feature one- and two-story buildings most with ground floor storefront, awnings, and some with arcades. Furthermore, the project is proposing retail and financial institution office uses which are required by the LDR for this portion of the corridor. The proposed building design demonstrates visual harmony by providing a compatible design, height, and use with the neighboring properties.

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.*
  - As mentioned, the building design is compatible with the downtown and will increase the overall aesthetic design of the community. Furthermore, the size and scale of the proposed building retrofit are in compliance with the recently LDR requirements for the CBD.
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 improvements proposed for the project intends to transform the appearance of the existing building façade from Classic Traditional to Masonry Modern. As mentioned, the building has existed since 1929. The improvements to the façade intend to improve the appearance of the building which would add to the overall aesthetics of the corridor, thus contributing to the value of properties in the corridor. Furthermore, the floor plans show the interior conversion of 50% of the ground floor financial institution (bank) space into two retail bays.
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 with scale 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 building aesthetics in the CBD, furthers economic growth, retains local business, and for providing retail on the ground floor.

**Required Findings:**

Pursuant to section 3.1.1 **Required Findings**, *prior to the approval of development applications, certain findings must be made in a form which is part of the official record. This may be achieved through information on the application, written materials submitted by the applicant, the staff report, or minutes. Findings shall be made by the body which has the authority to approve or deny the development application. These findings relate to the following areas:*

**Section 3.1.1 (A) - Future Land Use Map:**

*The 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.*

- The subject property has a FLUM designation of Commercial Core (CC) and a Zoning map designation of



Central Business District (CBD). The CBD zoning district is consistent with the CC FLUM designation. In accordance with LDR section 4.4.13 (C)(3), Table 4.4.13 (A), services and facilities (financial institutions) and general retail uses are permitted principle uses in the CBD zoning district and on the ground floor for Required Retail corridors.

### Section 3.1.1 (B) – Concurrency:

*Facilities which are provided by, or through, the City shall be provide to new development concurrent with the issuance of a Certificate of Occupancy. The facilities shall be provided pursuant to levels of service established within the Comprehensive Plan.*

- As described in Appendix “A”, a positive finding of can be made in regard to water and sewer, streets and traffic, drainage and solid waste.

### 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.*

- As described in Appendix “B”, a positive finding of Consistency can be made as it relates to Standards for Site Plan Actions.

### 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.*

- See the Site Plan Analysis section of this report.

### 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 image indicates the zoning and land use of the properties surrounding the subject property:

| Adjacent Land Use Map |                                 |                        |                                                                                                                                |
|-----------------------|---------------------------------|------------------------|--------------------------------------------------------------------------------------------------------------------------------|
|                       |                                 |                        |                                                                                                                                |
|                       | Zoning                          | Future Land Use (FLUM) | Current Use                                                                                                                    |
| North                 | Central Business District (CBD) | Commercial Core (CC)   | <ul style="list-style-type: none"> <li>▪ Restaurant</li> <li>▪ Retail</li> </ul>                                               |
| East                  | Central Business District (CBD) | Commercial Core (CC)   | <ul style="list-style-type: none"> <li>▪ Restaurant</li> <li>▪ Retail/Financial Institutions</li> </ul>                        |
| South                 | Central Business District (CBD) | Commercial Core (CC)   | <ul style="list-style-type: none"> <li>▪ Restaurant</li> <li>▪ Financial Institution</li> <li>▪ Business Office</li> </ul>     |
| West                  | Central Business District (CBD) | Commercial Core (CC)   | <ul style="list-style-type: none"> <li>▪ Restaurant</li> <li>▪ Parking Lot/Future Office building</li> <li>▪ Retail</li> </ul> |



As mentioned, the subject site is located at 302 E Atlantic Avenue and the building has existed since 1929. The subject site is located adjacent to restaurant and retail uses on all sides, and on the same block as another financial institution (Capital One). The architecture along the corridor is composed of dated and current designs. The buildings along E. Atlantic Avenue are one to three-stories in height with facades that abut the 15' wide street scape. The masonry modern design proposed complies with the LDR and the CBD design guide and is compatible with the architecture along the corridor. The proposed design to replace the existing non-conforming arcade with an expanded storefront that is closer to the streetscape area furthers the building compatibility along the corridor. The proposed project demonstrates compatible and harmonious assimilation with the adjacent and neighboring properties and will contribute to improving the building aesthetics along the corridor while increasing foot traffic past local businesses.

### **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 subject site located at 302 E. Atlantic Avenue is situated in the CBD zoning district, which allows retail and financial institution (bank) uses. The proposed site plan modification to renovate the façade to an updated masonry modern design and to bring the ground floor façade along the north side of the property closer to the corridor furthers the building's compatibility with the LDR and the other structures in the CBD Commercial Core. There are no known physical issues associated with the property that would prevent the proposed building expansion.

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 situated at the corner of E. Atlantic Avenue and SE 3<sup>rd</sup> Avenue. The site plan shows that 4' wide curb zone would remain, and a 6' wide pedestrian clear zone and a 5' wide paved remaining front setback would be provided. The site is not located on a bus route but is located within two blocks of a bus stop and route. Additionally, since the site is not located on a bus route, the development would be providing 50% of the cost of bus shelter in order to contribute to the funding of a shelter elsewhere in need. The subject site is not located on a bike route. However, since the development is a non-residential project, it is required to provide bicycle racks. The plans show bicycle racks on the plans to accommodate potential riders.

### **Review by Others:**

#### **Utility Providers:**

Pursuant LDR section to 2.4.2 (C)(2)(a), utility providers where notified of the site plan submission. No objectionable comments have been provided to date.

#### **Community Redevelopment Agency (CRA):**

Pursuant to LDR section 2.4.2 (C)(1)(b), Notice of all development applications within its geographic limits of the CRA is required.

- A summary was provided to the CRA notifying the board of the project.

#### **Downtown Development Authority (DDA):**

Pursuant to LDR section 2.4.2 (C)(1)(a), a notice of all development applications within its geographic limits of the DDA is required.

- A summary was provided to the DDA notifying the board of the project. On September 9, 2019, the DDA



voted 5-0 (Mark Denkler not present, Frank Frione recused himself due to conflict of interest) in favor of the project.

**Courtesy Notices:**

Pursuant to 2.4.2 (C)(3), courtesy notices have been provided to the following neighborhood associations:

- Pineapple Grove Main Street
- Osceola Park

\*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:**

- Utility Plan C-501 shows a proposed lateral connection into an existing water main from E. Atlantic Avenue through SE 3<sup>rd</sup> Avenue.
- Utility Plan C-501 shows a proposed 4” lateral connection into an existing sanitary sewer main along rear alley way.
- 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.

**Streets and Traffic:**

Provide with the application was a traffic impact evaluation created by Kimley Horn. The statement mentions that the subject site 302 E. Atlantic Avenue is located in the Transportation Concurrency Exception Area (TCEA). The TCEA area exempts the site from the capacity analysis requirements of the County’s Traffic Performance Standards (TPS) as defined in Article 12 of the Palm Beach County Unified Land Development Code (ULDC). Therefore, a traffic statement has been provided in order to identify the trip generation potential for the site. As indicated in Table 1 of the impact evaluation, the proposed redevelopment is projected to generate a decrease of 298 net new external daily trips, a decrease of 19 net new AM peak hour (-3 in, -16 out), and a decrease of 88 net new external PM peak hour (-47 in, -41 out). Based on the trip generation calculations, the proposed redevelopment is a decrease in trips from the current use. The statement was provided to the Palm Beach County Traffic Division for review, and the response was that since the property is located in the TCEA boundary, the proposed development is exempted from the Palm Beach County performance standards.

\*It is important to note that the applicant is proposing to close one of the two-way lanes on SE 3<sup>rd</sup> Avenue during construction. This lane closure would need to be coordinated with the City’s Public Works Department and permitted accordingly. The duration of the lane closure is unknown at this time.

**Solid Waste:**

Proposed Demand:

Bank Use:  $11,586 \text{ g.s.f} \times 3.7\text{lbs} = 42,868.2 / 2,000 = 21.43 \text{ tons per year}$

Retail Use:  $2,771 \text{ g.s.f} \times 10.2\text{lbs} = 28,264.2 / 2,000 = 14.13 \text{ tons per year}$

**Total Tonnage per year = 35.56 tonnage**

- The proposed Pierre Delray I building renovation will add approximately 36 tons of waste per year to the current demand as a result of the increase square footage and use change. The Solid Waste Authority has indicated that its facilities have sufficient capacity to handle all development proposals until the year 2048; thus, meeting concurrency.



**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. **(Existing building)**
- ☐ 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



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- 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