



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING
100 NW 1ST AVENUE, DELRAY BEACH, FLORIDA 33444
(561) 243-7040

HISTORIC PRESERVATION BOARD STAFF REPORT

20 & 22 North Swinton Avenue

Meeting	File No.	Application Type
October 7, 2020	2020-188	Certificate of Appropriateness and Class IV Site Plan

REQUEST

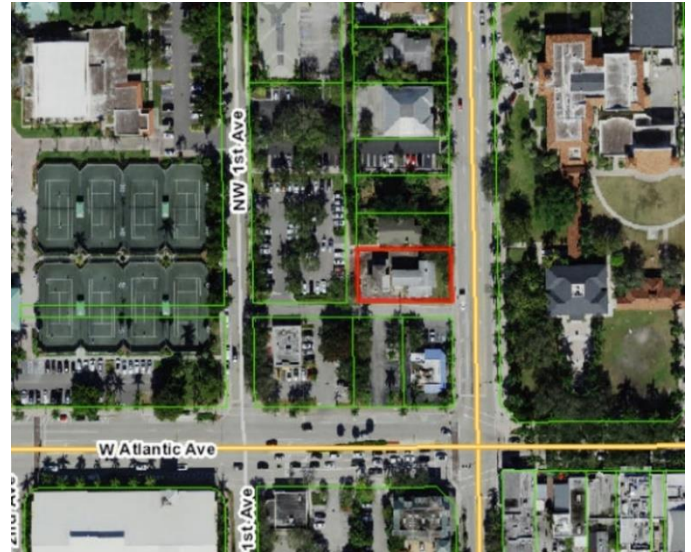
The item before the Board is in consideration of a Certificate of Appropriateness and Class IV Site Plan request (2020-188) associated with the conversion of a 2-story structure to office on the individually designated property known as “The Monterey House” and “The Wellbrock House”, located at **20 & 22 North Swinton Avenue, Old School Square Historic District**.

GENERAL DATA

Agent: Tara Toto
Owner: Delray Beach Community Redevelopment Agency (CRA)
Location: 22 North Swinton Avenue
PCN: 12-43-46-16-01-060-0120
Property Size: 0.21 Acres
Zoning: OSSHAD – Old School Square Historic Arts District
LUM: HMU (Historic Mixed Use)
Historic District: Old School Square Historic District
Adjacent Zoning:

- OSSHAD (North)
- OSSHAD (East)
- OSSHAD (South)
- OSSHAD (West)

Existing Land Use: Residential & Commercial Office
Proposed Land Use: Commercial Office



BACKGROUND INFORMATION AND PROJECT DESCRIPTION

The subject property is on the west side of N. Swinton Avenue between W. Atlantic Avenue and NW 1st Street and is within the Locally and Nationally Designated Old School Square Historic District. It contains Lot 12, less the south 4 feet thereof, Block 60, Town of Delray, Florida, as recorded in Plat Book 1, Page 3, of the Public Records of Palm Beach County, Florida. The property address is 20 & 22 N. Swinton Avenue and contains “The Monterey House”, which is individually listed on the Local Register of Historic Places. Also, situated on the subject property is a 1937 two-story, Colonial Revival style, structure known as “The Wellbrock House”, which was relocated to the subject site on November 17, 2019. The structure was approved for listing to the Local Register of Historic Places on September 10, 2020.

In April 2019, a local developer acquired 215 NE 7th Avenue where The Wellbrock House was originally located. The developer planned to redevelop the site with a new duplex structure. In its previous location,

Project Planners:

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Review Dates:

HPB: October 7, 2020

Attachments:

1. Architectural Plans
2. Justification Statements
3. Photos

The Wellbrock House was not within a historic district nor was it individually designated to the Local Register of Historic Places and it was proposed for demolition. Once informed of the proposed demolition, the Delray Beach CRA preserved the structure by relocating it to the subject property.

Also, existing on the subject property is a 2-story Monterey Style structure known as The Monterey House, which houses the CRA offices. The Monterey House was designed as a single-family residence by prominent Palm Beach architect, Belford Shoumate in 1939. Mr. Shoumate (1903-1991) was in active practice in Palm Beach for over 50 years and during that time he designed over 1,500 buildings in south Florida, including his first commission in 1930, a home in the Art Moderne style at 1221 N. Lake Way in Palm Beach. Shoumate won first prize in architecture for the design of this structure at the 1939 World's Fair and the house was named "The House of the Future". Originally, The Monterey House was located in the Hillcrest neighborhood in West Palm Beach. It was relocated to its current address in 1994 by way of the Intracoastal Waterway, along with two other structures - 24 N. Swinton Avenue ("The Historic Bungalow") and 516 N. Swinton Avenue ("The Harden-Hart House"). Prior to the move, this building was considered eligible for listing in the National Register of Historic Places. The move provided an alternative to demolition, which would have occurred due to the Palm Beach International Airport expansion. At the time of relocation, the structure contained 2,300 square feet and following its move to Delray Beach in 1995, a 600 square foot addition was approved and constructed. The structure was then listed on the City of Delray Beach Local Register of Historic Places.

The recently relocated and individually designated Wellbrock House (22 N. Swinton Avenue) was designed by Samuel Ogren, Sr., Delray Beach's first registered architect. The two-story home was designed in the wood frame Colonial Revival style and was built as a residence for John Charles (J.C.) Wellbrock, who was a local produce shipper in Delray Beach in the early to mid-1900's.

In June 2019, the CRA Board approved the purchase and relocation agreement for the structure located at 215 NE 7th Avenue and submitted a Certificate of Appropriateness to the City of Delray Beach to relocate the structure to the subject property. At its meeting of July 3, 2019, the Historic Preservation Board (HPB) approved the Certificate of Appropriateness (2019-255) request for the relocation of a single-family residence subject to the following conditions:

1. That following the relocation, an application be submitted for the individual designation of the structure to the Local Register of Historic Places; and,
2. That an application for a change of use and site plan modification be submitted following the relocation of the structure to 20 N. Swinton Avenue.

Previous Development History of the Site:

On July 19, 2017, the HPB approved a Certificate of Appropriateness and Class IV Site Plan request for the expansion of the CRA offices. Specifically, the request included the following:

- Construction of a 1,400 sq. ft. one-story building addition to the rear of the existing, 2,920 sq. ft. two-story individually designated Monterey House structure;
- Site improvements including a new walkway and site lighting; and,
- Minor landscape improvements.

The improvements were not constructed and the approval subsequently expired.

The request now before the board is consideration of the conversion of the newly relocated 1,793 sq. ft. single-family residence to additional office space for the CRA. The site will now contain a total of 4,540 square feet of building area.

REVIEW AND ANALYSIS

ZONING AND USE REVIEW

LDR Section 4.4.24 – Old School Square Historic Arts District (OSSHAD)

Pursuant to LDR Section 4.4.24(B)(3) – Principal Uses and Structures: Within the OSSHAD zoning district, Business, Professional, and Medical offices are listed as a Permitted Use.

The existing and expanded use of a business office is permitted within the OSSHAD zoning district. It is noted that plan sheet AS-102 indicates the building square foot calculations for the Monterey House to be based upon the Palm Beach County Property Appraiser's website. An added Site Plan Technical Item is that the square foot calculations for the existing and new structures be updated to reflect actual site conditions.

Pursuant to LDR Section 4.3.4.(K) – Property Development Standards: The standards as set forth in Section 4.3.4 shall apply:

	Required	Existing The Monterey House	Proposed The Wellbrock House
Lot Coverage (Max)	40%	17.1%	10.9% (TOTAL - 28.17%)
Setbacks			
Front (East)	25'	28'2"	No Change
Side Interior (North)	7'6"	28'	12'10"
Side Interior (South)	7'6"	7'6"	7'6"
Rear (West)	10'	50'	14'6"
Open Space (Min)	25%*	TBD*	49.44%*

*Required Minimum, Existing, and Provided Open Space calculations are incorrectly depicted in the Site Data Chart on plan sheet AS-102 and needs to be corrected, this item is attached as a site plan technical item

The chart above illustrates compliance with the required development standards; therefore, positive findings with this code requirement can be made.

Pursuant to LDR Section 4.4.24(G)(4)(d) – Parking Requirements: Business and professional offices shall provide one (1) space per 300 sq. ft. of total new or existing net floor area being converted to office use.

Based upon the LDR Definitions, Net Floor Area is defined as:

NET FLOOR AREA. The total floor area of a building, measured from the finished interior wall surface of the outer building walls, excluding major vertical penetrations of the floor (elevator and other mechanical shafts, stair wells), mechanical equipment, parking areas, common restrooms, common lobbies, and common hallways. Storage area is included in the net square feet calculation unless it is demonstrated that it cannot be converted to habitable space.

Based upon the above, the total 4,540 square feet of building area (2,747 sq. ft. existing and 1,793 sq. ft. new) requires 15 parking spaces and ample parking exists within the 92 space parking lot to the west of the structure. There are 51 parking spaces in this lot that are dedicated to the CRA; therefore, this requirement has been met.

It is noted however, that the building square foot calculations need to be clarified as to whether they are based upon actual floor area or net floor area. Additionally, the site data chart incorrectly notes that 21 parking spaces are required where only 15 spaces are required if the calculation is based upon actual floor area. The parking requirement may be reduced further if the net calculation is utilized. The required and provided parking calculation needs to be corrected and is added as a site plan technical item.

Pursuant to LDR Section 4.4.24(G)(2), The perimeter landscaping requirements of Section 4.6.16(H)(3)(e) shall not apply.

Based upon the above, perimeter landscaping is not proposed.

Article 4.6, Supplemental District Regulations

Pursuant to LDR Section 4.6.8 – **Lighting**: All developments/redevelopments are encouraged to utilize energy efficiency lighting. The maximum height for luminaires on buildings and structures is 25' or eave overhang, whichever is lower, and 25' for a parking lot. All perimeter exterior lighting shall be full cutoff luminaires to minimize spillover on adjacent properties. In order to decrease urban glow, no luminaires shall be directed upwards.

Light control and spillage. For perimeter exterior lighting, only full cutoff luminaires will be approved. The applicant is encouraged to minimize light spillage from building and site and to reduce urban-glow for the development/redevelopment proposed. Maximum allowable illumination at the property line of any adjoining parcel or public right-of-way is 0.25 horizontal and vertical foot-candles measured at six feet above grade level.

Pursuant to LDR Section 4.6.8(A)(3) – **Illumination Standards**: The applicable illumination standards are as follows:

	FOOT CANDLES		
	Maximum Permitted	Minimum Permitted	Provided
Building Entrances	10	1.0	1.0 – 8.8

Wall mounted decorative light fixtures are proposed as well as 8' tall free standing decorative light poles with acorn fixtures. It is noted that a maximum of 0.25 foot candles of light spillage at the property line is permitted and the photometric plan proposes a maximum of 0.19 foot candles. Therefore, compliance with the Illumination Standards has been achieved.

LANDSCAPE ANALYSIS

Pursuant to LDR Section 4.6.16(A) – **Landscape Regulations** – The objective of this article is to improve the appearance of setback and yard areas in conjunction with the development of commercial, industrial, and residential properties, including off-street vehicular parking and open-lot sales and service areas in the City, and to protect and preserve the appearance, character and value of the surrounding neighborhoods and thereby promote the general welfare by providing minimum standards for the installation and maintenance of landscaping.

The site is minimally landscaped presently and the proposal includes the installation of new landscaping adjacent to the new addition to meet the requirements of LDR Section 4.6.16; thus, technical review of the landscaping adjacent to the new addition has been found to be compliant the subject Landscape Regulations.

ARCHITECTURAL ELEVATIONS

Pursuant to LDR Section 4.6.18(E), Criteria for Board Action, the following criteria shall be considered by the Historic Preservation Board (HPB) 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.**

A complete review of the elevations and aesthetics can be found in the Historic Analysis section of this report.

The development proposal is also subject to the requirement for Visual Compatibility pursuant to LDR Section 4.5.1(E)(7) which provides for a specific analysis of the historic exterior of the proposal. The existing structure is a Monterey style and the new structure is Colonial Revival style. The two styles are different but complimentary to one another as they are each wood frame and two-story. The proposal provides for the protection of historic structures within the Old School Square Historic District while also ensuring the longevity of the district through protection of historic resources.

HISTORIC PRESERVATION DISTRICTS AND SITES

Pursuant to LDR Section 2.4.6(H)(5), Certificate of Appropriateness – Findings. Prior to approval, a finding must be made that any Certificate of Appropriateness which is to be approved is consistent with Historic Preservation purposes pursuant to Objective A-4 of the Land Use Element of the Comprehensive Plan and specifically with provisions of Section 4.5.1, the Delray Beach Historic Preservation Design Guidelines, and the Secretary of the Interior’s Standards for Rehabilitation.

In accordance with the above, the previously noted criteria have been analyzed throughout this report.

Pursuant to LDR Section 4.5.1(E), Development Standards, all new development or exterior improvements on individually designated historic properties and/or properties located within historic districts shall, comply with the goals, objectives, and policies of the Comprehensive Plan, the Delray Beach Historic Preservation Design Guidelines, the Secretary of the Interior’s Standards for Rehabilitation, and the Development Standards of this Section.

In accordance with the above, the previously noted criteria have been analyzed throughout this report.

Pursuant to LDR Section 4.5.1(E)(2)(b)2 – Major and Minor development: The subject proposal is classified as Major Development as it is “the construction, reconstruction, or alteration of a building in excess of twenty-five percent (25%) of the existing floor area.”

In accordance with the above, the subject proposal has been reviewed as a Major Development.

Pursuant to LDR Section 4.5.1(E)(3)(b)1 – Buildings, Structures, Appurtenances and Parking: Parking areas shall strive to contribute to the historic nature of the properties/districts in which they are located by use of creative design and landscape elements to buffer parking areas from adjacent historic structures. At a minimum, the following criteria shall be considered:

- a. Locate parking adjacent to the building or in the rear.
- b. Screen parking that can be viewed from a public right-of-way with fencing, landscaping, or a combination of the two.
- c. Utilize existing alleys to provide vehicular access to sites.
- d. Construct new curb cuts and street side driveways only in areas where they are appropriate or existed historically.
- e. Use appropriate materials for driveways.
- f. Driveway type and design should convey the historic character of the district and the property.

The subject proposal complies with the intent of this subject regulation, as all parking is existing and is situated to the rear of the subject property.

Pursuant to LDR Section 4.5.1(E)(5) – Standards and Guidelines: A historic site, building, structure, improvement, or appurtenance within a historic district shall only be altered, restored, preserved, repaired, relocated, demolished, or otherwise changed in accordance with the Secretary of the Interior's Standards for Rehabilitation, and the Delray Beach Historic Preservation Design Guidelines, as amended from time to time.

Standard 1

A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

Standard 2

The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

Standard 3

Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

Standard 4

Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

Standard 5

Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

Standard 6

Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

Standard 7

Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

Standard 8

Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

Standard 9

New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Standard 10

New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

In consideration of the applicable Standards noted above, the proposal meets their intent by providing additional office space on the subject property through the relocation and adaptive reuse of a two-story structure that is now joins the existing Monterey House on the site, both are listed to the Local Register of Historic Places.

The newly relocated structure sits in the rear of the property so as not to detract from the street view of the existing Monterey House. No exterior modifications are proposed to the existing structure other than a new canvas breezeway that will provide a connection between the two office buildings on the north side of the site. The proposal meets the intent of the Secretary of the Interior's Standards for Rehabilitation.

Pursuant to LDR Section 4.5.1(E)(7)(a-m) – Visual Compatibility Standards: new construction and all improvements to both contributing and noncontributing buildings, structures and appurtenances thereto within a designated historic district or on an individually designated property shall be visually compatible. In addition to the Zoning District Regulations, the Historic Preservation Board shall apply the visual compatibility standards provided for in this Section with regard to height, width, mass, scale, façade, openings, rhythm, material, color, texture, roof shape, direction, and other criteria set forth elsewhere in Section 4.5.1. Visual compatibility for minor and major development as referenced in Section 4.5.1(E)(2) shall be determined by utilizing criteria contained in (a)-(m) below:

- a. Height:** The height of proposed buildings or modifications shall be visually compatible in comparison or relation to the height of existing structures and buildings in a historic district for all major and minor development. For major development, visual compatibility with respect to the height of residential structures, as defined by 4.5.1(E)(2)(a), shall also be determined through application of the Building Height Plane.
- b. Front Facade Proportion:** The front facade of each building or structure shall be visually compatible with and be in direct relationship to the width of the building and to the height of the front elevation of other existing structures and buildings within the subject historic district.
- c. Proportion of Openings (Windows and Doors):** The openings of any building within a historic district shall be visually compatible with the openings exemplified by prevailing historic architectural styles of similar buildings within the district. The relationship of the width of windows and doors to the height of windows and doors among buildings shall be visually compatible within the subject historic district.
- d. Rhythm of Solids to Voids:** The relationship of solids to voids of a building or structure shall be visually compatible with existing historic buildings or structures within the subject historic district for all development, with particular attention paid to the front facades.
- e. Rhythm of Buildings on Streets:** The relationship of buildings to open space between them and adjoining buildings shall be visually compatible with the relationship between existing historic buildings or structures within the subject historic district.
- f. Rhythm of Entrance and/or Porch Projections:** The relationship of entrances and porch projections to the sidewalks of a building shall be visually compatible with existing

architectural styles of entrances and porch projections on existing historic buildings and structures within the subject historic district for all development.

- g. **Relationship of Materials, Texture, and Color:** The relationship of materials, texture, and color of the facade of a building and/or hardscaping shall be visually compatible with the predominant materials used in the historic buildings and structures within the subject historic district.
- h. **Roof Shapes:** The roof shape, including type and slope, of a building or structure shall be visually compatible with the roof shape of existing historic buildings or structures within the subject historic district. The roof shape shall be consistent with the architectural style of the building.
- i. **Walls of Continuity:** Walls, fences, evergreen landscape masses, or building facades, shall form cohesive walls of enclosure along a street to ensure visual compatibility with historic buildings or structures within the subject historic district and the structure to which it is visually related.
- j. **Scale of a Building:** The size of a building and the building mass in relation to open spaces, windows, door openings, balconies, porches, and lot size shall be visually compatible with the building size and mass of historic buildings and structures within a historic district for all development. To determine whether the scale of a building is appropriate, the following shall apply for major development only:
 - a. For buildings wider than sixty percent (60%) of the lot width, a portion of the front façade must be setback a minimum of seven (7) additional feet from the front setback line:
 - b. For buildings deeper than fifty percent (50%) of the lot depth, a portion of each side façade, which is greater than one story high, must be setback a minimum of five (5) additional feet from the side setback line:
- k. **Directional Expression of Front Elevation:** A building shall be visually compatible with the buildings, structures, and sites within a historic district for all development with regard to its directional character, whether vertical or horizontal.
- l. **Architectural Style:** All major and minor development shall consist of only one (1) architectural style per structure or property and not introduce elements definitive of another style.
- m. **Additions to individually designated properties and contributing structures in all historic districts:** Visual compatibility shall be accomplished as follows:
 - 1. Additions shall be located to the rear or least public side of a building and be as inconspicuous as possible.
 - 2. Additions or accessory structures shall not be located in front of the established front wall plane of a historic building.
 - 3. Characteristic features of the original building shall not be destroyed or obscured.
 - 4. Additions shall be designed and constructed so that the basic form and character of the historic building will remain intact if the addition is ever removed.
 - 5. Additions shall not introduce a new architectural style, mimic too closely the style of the existing building nor replicate the original design but shall be coherent in design with the existing building.
 - 6. Additions shall be secondary and subordinate to the main mass of the historic building and shall not overwhelm the original building.

The proposal meets the visual compatibility standards by providing additional office space on the subject property through the relocation and adaptive reuse of a two-story structure that is now joins the existing Monterey House on the site, both are listed to the Local Register of Historic Places. The relocated structure is situated to the rear of the existing Monterey style structure and can be considered appropriate and compatible.

The newly relocated structure sits in the rear of the property so as not to detract from the street view of the existing Monterey House. No exterior modifications are proposed to the existing structure other than a new canvas breezeway that will provide a connection between the two office buildings on the north side of the site. The two structures are similar in scale and mass and are compatible with one another with respect to height, width, mass, scale and façade of the original structure will be minimally affected, safeguarding the structures contribution as an asset to the Old School Square Historic District.

Overall, the proposal has been designed to meet the Visual Compatibility Standards and the requirements for architectural elevations and aesthetics while allowing for the adaptive reuse and conversion of another structure on the subject property for office use. Further, this structure sits at a prominent corner within the middle of the Old School Square Historic District; thus, the proposed updates are considerate to the district by demonstrating compatibility with the built environment. The proposal will maintain a residential appearance and allow for a neighborhood-based use. Based upon the above, the proposal is appropriate and compatible with the requirements for Visual Compatibility.

The applicant has submitted a justification statement, which is attached.

REQUIRED FINDINGS

Pursuant to LDR Section 2.4.5(G)(1)(d) (Class IV Site Plan Modification), a Class IV site plan modification is a modification to a site plan which represents either a significant change in the intensity of use or significant changes which affect the spatial relationship among improvements on the land, requiring full review of Performance Standards found in Section 3.1.1. and 3.2.3, as well as required findings of LDR Section 2.4.5(G).

Pursuant to LDR Section 2.4.5(G)(5) - Findings. Formal findings for a Class IV modification is subject to the same findings required of a new submittal.

Pursuant to LDR Section 2.4.5(F)(5) – Findings. In addition to provisions of Chapter 3, the approving body must make a finding that development of the property as represented by the Class V 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 subject property and its uses currently exist. The proposed changes incorporate a change of use that does intensify the subject property as new habitable space is proposed in the newly relocated 2-story structure. Further discussion and analysis regarding the uses is provided below. Therefore, a positive finding can be made with respect to LDR Section 2.4.5(F)(5) & (G)(5).

LDR SECTION 3.1.1(A) - FUTURE LAND USE MAP

The subject property has a Land Use Map (LUM) designation of OMU (Other Mixed Use) and a zoning designation of OSSHAD (Old School Square Historic Arts District). The zoning district is consistent with the Land Use Map designation. The proposed commercial office is permitted. Positive findings can be made with respect to Future Land Use Map consistency

LDR SECTION 3.1.1(B) - CONCURRENCY

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

LDR SECTION 3.1.1(C) - CONSISTENCY

As described in Appendix “B”, a positive finding of Consistency can be made as it relates to Standards for Site Plan Actions (LDR Section 3.2.3).

LDR SECTION 3.1.1(D) - COMPLIANCE WITH THE LAND DEVELOPMENT REGULATIONS

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

COMPREHENSIVE PLAN POLICIES

A review of the objectives and policies of the adopted Comprehensive Plan was conducted, and the following applicable objectives or policies are noted:

Pursuant to the Historic Preservation Element (HPE), Objective 1.4, Historic Preservation Planning: Implement appropriate and compatible design and planning strategies for historic sites and properties within historic districts.

The objective shall be met through continued adherence to the City's Historic Preservation Ordinance and, where applicable, to architectural design guidelines through the following policies:

HPE Policy 1.4.1

Continue to require that the Historic Preservation Board make findings that any land use or development application for a historic structure, site or within a historic district, is consistent with the provisions of the Secretary of the Interior's Standards for Rehabilitation, the Land Development Regulations, and Delray Beach Historic Preservation Design Guidelines.

The development proposal involves establishing additional professional office space through the conversion of a recently relocated single-family residence on the subject property. The conversion can be found to be an appropriate intensity and density for the site. Parking exists on the west side of the site to meet the requirements of the code as generated by the additional office space. There are no concerns with respect to soil, topographic or other physical considerations. With respect to the adjacent land uses, the property is in an area surrounded by a mix of residential and office uses. The property is zoned for both residential and business/professional office use. The proposed improvements demonstrate the investment the property owner is making to support the historic fabric of the community. Further, the office-based use is appropriate and assists in the maintenance and protection of the historic district. A complete review of LDR Section 4.5.1 and the Delray Beach Design Guidelines was conducted, and the proposal can be found to be in compliance.

REVIEW BY OTHERS

At the meeting of July 13, 2020, the **Downtown Development Authority (DDA)** reviewed the development proposal and recommended approval based on the resubmittal of the parking agreement.

OPTIONAL BOARD MOTIONS FOR ACTION ITEMS

- A. Move to continue with direction
- B. Approve Certificate of Appropriateness (2020-188), request for the property located at **20 & 22 North Swinton Avenue, Old School Square Historic District** by finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations.
- C. Approve Certificate of Appropriateness (2020-188), requests for the property located at **20 & 22 North Swinton Avenue, Old School Square Historic District** by finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations subject to the following conditions:
 - 1. That either the site plan or traffic approval is revised to correctly reflect the proposed building square foot calculations.

Site Plan Technical Items:

1. Correct the required, existing, and provided Open Space calculations in the Site Data Chart on plan sheet AS-102;
2. That square foot calculations for the existing and new structures be updated; and,
3. That the parking requirements and calculations be updated on the site data chart to indicate that 15 parking spaces are required.

D. Deny Certificate of Appropriateness (2020-188), requests for the property located at **20 & 22 North Swinton Avenue, Old School Square Historic District**, by finding that the request is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in the Land Development Regulations.

PUBLIC AND COURTESY NOTICES

☒ Courtesy Notices are not applicable to this request.

☒ Agenda was posted on (9/30/20), 5 working days prior to meeting.

APPENDIX "A" CONCURRENCY FINDINGS

Pursuant to LDR Section 3.1.1(B), Concurrency, as defined pursuant to Objective B-2 of the Land Use Element of the Comprehensive Plan, must be met and a determination made that the public facility needs of the requested land use and/or development application will not exceed the ability of the City to fund and provide, or to require the provision of, needed capital improvements for the following areas:

Water and Sewer:

Water and sewer services are existing on site. Pursuant to the Comprehensive Plan, treatment capacity is available at the City's Water Treatment Plant and the South-Central County Waste Water 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.

Drainage:

Drainage and water run-off will be addressed through the on-site retention. There should be no impact on drainage as it relates to this level of service standard.

Traffic:

The applicant has provided a traffic statement stating the 4,391 square foot office (2,747 sq. ft. existing and 1,644 sq. ft. new) will generate 24 New Daily Trips and it is not anticipated to significantly affect traffic circulation nor cause negative impacts upon the surrounding area. Palm Beach County Traffic Engineering Division provided an approval letter stating the project will not have significant peak hour traffic impact on the roadway network and, therefore, meets the Traffic Performance Standards of Palm Beach County. It is noted that the site plan drawings indicate the building area to be 4,540 square feet, which does not match the square foot calculation approved by Palm Beach County. An added condition of approval is that either the site plan or traffic approval is revised to correctly reflect the proposed building square foot calculations.

Parks and Recreation:

Non-residential uses are not considered to have an impact on the City's Parks and Recreation facilities.

Solid Waste:

A total of 4,540 square feet of office use will exist on the subject property and (2747 sq. ft. existing and 1,793 sq. ft. new) will generate a total of 12.25 tons of solid waste per year. The Solid Waste Authority has indicated that its facilities have sufficient capacity to handle all development proposals until the year 2046, thus a positive finding with respect to this level of service standard can be made.

Schools:

School concurrency findings do not apply for non-residential uses. Thus, the proposed development will not have an impact with respect to this level of service standard.

APPENDIX "B"
CONSISTENCY FINDINGS & STANDARDS FOR SITE PLAN ACTIONS

- 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 X
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 X
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 X
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 X
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 X
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 X
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**

