



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: October 28, 2020

File No.: 2020-123-SPF-SPR-CL3

Application Type: Class III Site Plan Modification

General Data:

Agent: Louis J. Carbone, P.A.

Applicant/Owner: Delray Park Plaza LLC

Location: 1311-1319 N. Federal Highway

PCN: 12-43-46-09-12-000-0050

Property Size: 0.691 acres

LUM: GC (General Commercial)

Zoning: GC (General Commercial)

Adjacent Zoning:

- North: GC
- South: GC
- East: GC
- West: RL

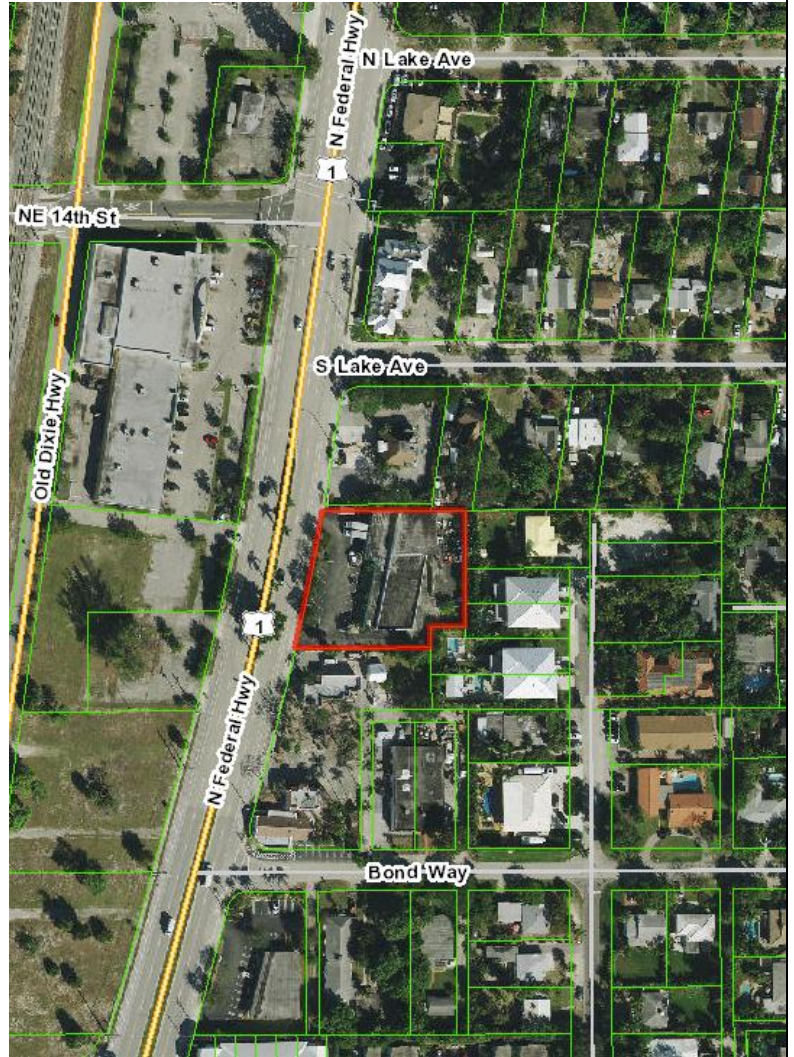
Existing Land Use: Retail

Proposed Land Use: Retail

Item before the Board:

The action before the Board is the approval of a Class III Site Plan application for Delray Park Plaza Building pursuant to LDR Section 2.4.5 (G)(1)(d), including the following:

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



Optional Board Motions:

- A. Move to continue with direction.
- B. Move approval of the request for the Class III (2020-123) Site Plan, Landscape Plan, Photometric Plan, and Architectural Elevations for **Delray Park Plaza** located at **1311-1319 N. Federal Hwy**, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations.
- C. Move denial of the request for the Class III (2020-123) Site Plan, Landscape Plan, Photometric Plan and Architectural Elevations for **Delray Park Plaza** located at **1311-1319 N. Federal Hwy**, by finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in the Land Development Regulations.

Project Planner:

Rachel Falcone, Planner
FalconeR@mydelraybeach.com
561-330-6052

Review Dates:

SPRAB Board:
October 28, 2020

Attachments

1. Site Plans
2. Landscape Plans
3. Architectural Elevations



Notes:

1. A Traffic Statement from Palm Beach County must be submitted prior to site plan certification.
2. Prior to site plan certification, the Landscape Calculation Table on Sheet L-2 must be revised to reflect the site plan.

Background:

The subject property is a 0.691-acre site comprised of portions of Lot 5 of the Harry Seemiller Subdivision. The property is zoned General Commercial (GC) and has a Future Land Use Map designation of General Commercial (GC). The building was constructed in 1957, the property includes an existing one-story 8,485 sq. ft. commercial building, which has operated as East Coast Furniture.

Now before the Board is a Class III Site Plan Modification associated with the addition of 130 sq. ft, partitioning of the existing floor plan to create four (4) new bays; modifications to the parking lot to decrease existing nonconformities; façade improvements and colors changes; landscaping and irrigation; site lighting; water, sewer, paving and drainage changes; and a new dumpster enclosure.

Project Description:

The subject request is a Class III Site Plan modification associated with interior and exterior modifications to a commercial structure that was built in 1957. The modification includes the introduction of an art deco architectural style. The structure will consist of a green and white color theme throughout; the colors include: White Anodized, Ice Mist, Baby Green, Ocean Spray, and Shore House Green. The modifications include the addition of 130 sq. ft and partitioning of the existing floor plan to create four (4) new bays. The proposed reconfiguration of the parking lot and addition of parking spaces decreases the existing nonconformities. The request includes modifications to landscaping and irrigation; site lighting; water, sewer, paving and drainage changes; and a new dumpster enclosure. There is no phasing of the improvements.

Site Plan Analysis:

The following items identified in the Land Development Regulations shall specifically be addressed by the Site Plan Review and Appearance Board (SPRAB) for final action on the site and development applications/requests, as presented.

Base District Requirements:

Pursuant to **LDR Section 4.3.4 (K), Table 4.4.13 (C)**, as shown on the site plans the proposed project meets or exceeded the minimum development standards for lot dimensions, setbacks, open space and lot coverage; thus, this requirement is met (see table below).

LDR Table 4.3.4(K) Development Standards Matrix

Minimum Lot Requirements:	Required	Existing	Proposed
Lot Area	0	30,585 sq. ft	No Change
Lot Width	0	140.10 ft	No Change
Lot Depth	0	172.61 ft	No Change
Lot Frontage	0	176.49 ft	No Change
Building Setbacks:			
Front	10 ft. min.	60.3 ft	56.11ft
Side Interior	0 ft / 10 ft*	0 ft (North) 22 ft (South)	No Change
Rear	10 ft min.	43.10 ft	No Change
Maximum Height:	48 ft	24 ft	33.6 ft
Open Space:	Minimum 25% non-vehicular open space	5.7% (1,749 sq. ft.)	16%** (4,990 sq. ft.)

*Pursuant to LDR Section 4.4.9 (F)(1) If there is no vehicular access available to the rear of any structure, a side setback of ten feet shall be provided. For a side interior lot, a ten-foot setback is required only on one side.

** The building was built in 1957 and is an existing non-conforming. The site is providing additional open space to reduce the non-conformance.

**Off-Street Parking Requirement:**

Pursuant to LDR Section 4.6.9(C)(3)(a), **General Commercial Uses**, shall provide four and one-half spaces per 1,000 square feet of gross floor area which includes retail floor area, associated warehouse and storage floor area, and employee and management facilities.

Parking	Required	Existing (non-conforming)	Provided
4.5 spaces per 1,000 (gross sq. ft)	39 spaces	15 spaces	21 spaces

- The existing parking on the subject site is non-conforming with the current Land Development Regulations. Currently, the subject site contains 15 parking spaces. The proposed modifications include additional parking spaces to bring the site closer into conformity with the current LDRs. Although the existing conditions of the subject site is currently non-conforming, the project proposes to reduce the existing non-conformity by implementing 6 new parking stalls on site.

Site Visibility Requirement:

Pursuant to LDR Section 4.6.14(B)(5), sight visibility measurements at the intersection of a right-of-way, accessway, or driveway and a right-of-way under County, State or Federal justification are subject to sight visibility requirements from those authorities.

- The line of sight has been reviewed and is in compliance with FDOT standards.

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)
Parking lots	1.0	12.0	1.0	8.7
Canopies, Drive-Thru and Overhangs	3.0	30.0	3.0	20.0
Luminaries (Area Lights)	Maximum Height: 25 ft		Proposed: 20 ft	

Landscape Analysis:

Pursuant to LDR Section 4.6.16(C)(1)(a), **Compliance** 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),

- The landscape plans and irrigation plan have been reviewed by the City's Senior Landscape Planner for compliance 4.6.16 (H)(3) for new commercial developments. The design as proposed meets the minimum requirements for tree and shrub quantity, plant size, species selection, drought tolerance and site placement.
- All existing trees on the subject site are to remain in the same location.

Landscape Analysis		
	Required	Provided
Interior Greenspace	2,560 sq. ft	4,990 sq. ft
Shrubs & Ground Cover	1,267.5 sq. ft	4,448 sq. ft
Native Plant Materials	318 sq. ft	2,510 sq. ft
Total Trees Required	26 trees	26 trees
Native Trees	16 trees	20 trees
Perimeter Trees	6 trees	10 trees



Material Schedule	
Trees and Palms:	Montgomery Palm, Triple; Simpson Stopper; Silver Buttonwood; Crape Myrtle; Carandy Palm; Licuala Palm; and Gumbo Limbo.
Shrubs & Ground Cover:	Red Congo; Green Island Ficus; Cocoplum Muhly Grass; Podocarpus; Yew; Simpson Stopper; Yellow Thryallis; Croton Bravo; Parson's Juniper; and Queen Emma.

Special Landscape Setback

Pursuant to LDR Section 4.3.4 (H)(6)(b)2., along Federal Highway (U.S. Highway 1), including the one-way pairs (5th and 6th Avenues), extending from S.E. 10th Street to the north City limits, but excluding the blocks between S.E. 1st Street and N.E. 1st Street, a 10 ft special landscape area shall be provided on both side of the ultimate right-of-way. Pursuant to LDR Section 4.4.9 (F)(2)(a), Parcels shall have a minimum front building setback of five feet measured from the ultimate right-of-way line. The maximum setback shall be 15 feet unless it can be demonstrated to the Site Plan Review and Appearance Board that it is not feasible to comply with this standard. The first ten feet of the front yard setback which is adjacent to a right-of-way shall be a landscaped area, except within the North Federal Highway Area as defined in 4.4.9(F)(2), which is subject to the special landscape setbacks of Section 4.3.4(H)(6)(b)

- The site plan indicates a 10 ft landscape buffer along Federal Highway (right-of-way).

Refuse Enclosure:

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 rights-of-way. The refuse enclosure for the proposed shopping plaza is located behind the structure on the eastern portion of the property. The proposed refuse enclosure is screened by a 5 ft high wall on each side and a gate.

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 subject property is bordered by General Commercial (GC) on all sides except for the eastern property line. The surrounding uses are a vacant bar to the north, office to the south, shopping plaza to the west, and residential to the east. The subject property has an existing wall along the eastern property line to provide additional screening for the residential district. The proposed retail building is compatible with the surrounding uses and will improve the aesthetics of the property.

Architectural Elevations and Aesthetics

Pursuant to LDR Section 4.6.18(E), the following criteria shall be considered by the Site Plan Review and Appearance Board in the review of plans for building permits. If the following criteria are not met, the application shall be disapproved.

- The proposed design is in conformity with good taste, good design, and in general contributes to the image of the City as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas, and high quality.
- The facade elevations express good, 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 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 modification includes the introduction of an art deco architectural style. The structure will consist of a green and white color theme throughout; the colors include: White Anodized, Ice Mist, Baby Green, Ocean Spray, and Shore House Green.



The modifications include the addition of 130 sq. ft and partitioning of the existing floor plan to create four (4) new bays. The proposed art deco commercial structure is consistent with the design requirements throughout the city. The quality of the architecture will not cause the local/evolving environment to depreciate in appearance or value. The proposed development is compatible with development in the area.

Establishment of the Proposed Use/ Certificate of Occupancy:

Pursuant 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 associated with this development approval shall be met, unless otherwise required.

Courtesy Notice:

Courtesy notices have been provided to the following neighborhood associations, which have requested notice of developments in their areas:

- La Hacienda

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

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) – 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 Land Use Map.

- The subject property has a Land Use Map (LUM) designation of General Commercial (GC) and a Zoning Map designation of General Commercial (GC), which are consistent.

Section 3.1.1 (B) – Concurrency:

Concurrency as defined by Objective NDC 3.1 of the Neighborhoods, Districts, and Corridors Element of the adopted Comprehensive Plan must be met and a determination made that the public facility needs, including public schools, of the requested land use and/or development application will not exceed the ability of the City and The School District of Palm Beach County to fund and provide, or to require the provision of, needed capital improvements in order to maintain the Levels of Service Standards established in Table CIE-2, Level of Service Standards, of the Capital Improvements Element of the adopted Comprehensive Plan of the City of Delray Beach.

- As described in Appendix A, a positive finding of concurrency is made as it relates to water, sewer, drainage, parks and recreation, solid waste, and traffic.

Section 3.1.1 (C) – Consistency:

A finding of overall consistency may be made even though the action will be in conflict with some individual performance standards contained within Article 3.2, provided that the approving body specifically finds that the beneficial aspects of the proposed project (hence compliance with some standards) outweighs the negative impacts of identified points of conflict.

- As described in Appendix B, a positive finding of consistency is made as it relates to the performance standards contained in Article 3.2.

Section 3.1.1 (D) – Compliance with the LDRs:

Whenever an item is identified elsewhere in these Land Development Regulations (LDRs), it shall specifically be addressed by the body taking final action on a land development application/request. Such items are found in Section 2.4.5 and in special regulation portions of individual zoning district regulations.

- As described under the Site Plan Analysis section of this report, a positive finding of compliance with the LDRs is 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 were noted.

Neighborhood, Districts, and Corridors (NDC)

Policy NDC 1.1.14: Continue to require that property be developed or redeveloped or accommodated, in a manner so that the 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 proposed development will be compatible in use, intensity, and appearance with the surrounded buildings in the GC zoning district.

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 Service is available via an existing 8" lateral water main along Federal Highway.
- Sewer Service is available via an existing 8" lateral sewer main connection to an existing manhole located on the southside of the property.

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:

The traffic statement provided indicates that 27 additional average daily trips will be proposed. The estimated daily traffic generation for the proposed project is approximately 1,082 TPD. The AM Peak Hour Traffic Generation is 8 TPD and the PM Peak Hour Traffic Generation is 85 TPD. To date, a letter from Palm Beach County Traffic Division has not been received regarding review of the proposed project and determine the project meets traffic performance standards of Palm Beach County.

Parks and Recreation Facilities:

Pursuant to LDR Section 5.3.2, whenever a development is proposed upon land which is not designated for park purposes in the Comprehensive Plan, an impact fee assessed for the purpose of providing park and recreational facilities shall be imposed. This is not applicable to this project.

Drainage:

The proposed project has been designed with sufficient drainage facilities to provide flood protection during a 100 Year 3 Day rainfall event within a reasonable margin of error.

APPENDIX "B" - STANDARDS FOR SITE PLAN ACTIONS Sec. 3.2.3 (A) through (K)

- 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. All development shall provide pedestrian, bicycle, and vehicular interconnections to adjacent properties, where possible, and include accessible routes from the entry points of publicly accessible buildings to the sidewalk network in accordance with the Americans with Disabilities Act (ADA).
- ☐ Not applicable
 - ☒ Meets intent of standard
 - ☐ Does not meet intent



- C. Open space enhancements and recreational amenities shall be provided to meet Objective OPR 1.4 and other requirements of the Goals, Objectives and Policies, as applicable, of both the Open Space, Parks, and Recreation Element and Conservation Element.
- ☒ Not applicable
☐ Meets intent of standard
☐ Does not meet intent
- D. Any proposed street widening or modifications to traffic circulation shall be evaluated by the City, and if found to have a be detrimental impact upon or result in a the degradation in the existing neighborhood, the request shall be modified or denied.
- ☒ Not applicable
☐ Meets intent of standard
☐ Does not meet intent
- E. Development of residentially zoned vacant land shall be planned in a manner 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 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 fulfills remaining land use needs.
- ☐ Not applicable
☒ Meets intent of standard
☐ Does not meet intent
- G. Development of shall provide a variety of housing types that accommodates the City's growing and socio-economically diverse population to meet the Goals, Objectives, and Policies of the Housing Element.
- ☒ Not applicable
☐ Meets intent of standard
☐ Does not meet intent
- H. Consideration shall be given to the effect that a development will have on the safety, livability and stability of neighborhoods and residential areas. Factors such as but not limited to noise, odors, dust, and traffic volumes and circulation patterns shall be reviewed and if found to result in a degradation of surrounding areas, the projects 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 to teens and adults, 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

- K. Development shall not exceed the maximum limits established in the Table NDC-1, Land Use Designations: Density, Intensity, and Implementing Zoning Districts, of the Neighborhoods, Districts, and Corridors Element or specific standards established in the zoning districts that limit density (dwelling units per acre) or intensity (floor area ratio) and must adhere to whichever limit is lower. Development in areas included in density or incentive programs (i.e. workforce housing programs specified in Article 4.7-Family/Workforce Housing) may exceed the Standard density limit, up to the specified Revitalization/Incentive density established for the program; development in all other areas shall not exceed the Standard density.

- ☒ Not applicable
☐ Meets intent of standard
☐ Does not meet intent